



# KIDS AGENDA FOR THE 114<sup>TH</sup> CONGRESS

February 2015

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More than eight million children will be born in the United States during the 114<sup>th</sup> Congress. The decisions you make about issues ranging from education to tax and immigration policy will shape their lives. Whether the next two years accelerate or impede the healthy development of those children is up to you.

If you do not make children a priority, or make the wrong choices, children will bear the consequences. More than 73,000 of the eight million children born under your watch will be abused or neglected. More than 560,000 will be uninsured, even after the implementation of “comprehensive” health reform. More than 1.7 million will live in poverty — a disadvantage research has shown to have lifelong consequences for academic performance, income, and health. More than 3.3 million will be the children of immigrants, many of whom will go to sleep each night in fear that the government will take their parents away before the next morning. And more than 4.4 million won't be enrolled in preschool, even though decades of research show that high-quality pre-kindergarten (pre-K) can level the playing field and give children in low-income families a chance to reach their full potential.

Many children, who represent one-quarter of the nation's population and all of our future, already live in circumstances that limit their opportunity and ability to achieve their full potential. Today, one in five children live in poverty that has enormous ramifications for their success in school, health and nutrition outcomes, child abuse and neglect rates, and homelessness. Yet our investment in their future is declining. The share of spending on children at the federal level has fallen from 8.5 percent in fiscal year (FY) 2010 to 8.02 percent in FY 2014. The Urban Institute estimates the share of spending as a percentage of gross domestic product will decline by 24 percent over the next decade.

As a children's advocacy organization with a decade of experience advancing bipartisan policy solutions, we are committed to working with you to make the federal government a champion for children. To that end, we recommend a policy agenda to address the most pressing problems facing America's children. The agenda is made up of six broad categories: ensuring a healthy future, ensuring every child a safe and permanent home, reducing child poverty, expanding opportunity through education and early childhood, valuing children and families, and investing in children and reforming government. Within each category is a list of goals and actions Congress can take to improve the lives of our children. For more information, please contact Elliott Gluck, Director, Policy & Research at [elliottg@firstfocus.net](mailto:elliottg@firstfocus.net) or (202) 657-0690.

## **ENSURING A HEALTHY FUTURE**

Recognizing that the health of our nation's children is paramount, the President and Congress must remain committed to children and improving their health and safety. Our nation has made great strides in recent decades to ensure the health of our children, but it is clear that we must do more. While we have expanded the availability of comprehensive, high-quality, and affordable health care for our most vulnerable children, 10 percent of kids in America are still uninsured. Thankfully, Medicaid and the Children's Health Insurance Program (CHIP) are available to provide coverage for our neediest children, as well as those in low-income working families. These programs serve as critical lifelines protecting children's health and well-being, especially during trying economic times. Maintaining Medicaid and securing CHIP's future funding stream would help to ensure a healthy future for our children. We urge Congress to:

### **Continue the trend toward universal coverage for children by protecting the Children's Health Insurance Program<sup>1</sup>**

Since its inception in 1997, the bipartisan CHIP program has been enormously successful, helping with Medicaid to cut the numbers of uninsured children in half. CHIP ensures that children in working families are able to get the high-quality, comprehensive, and affordable health coverage they need. Congress should fully fund CHIP through 2019 as soon as possible in this session so that children don't lose coverage. Congress should also make the Express Lane Eligibility enrollment simplifications permanent and end CHIP waiting periods.

### **Protect and preserve Medicaid<sup>2</sup>**

Congress must take the lead in protecting Medicaid for children and other vulnerable populations even as tough decisions are made to address the budget deficit. The Administration and Congress correctly exempted Medicaid from previous debt-reduction deliberations in recent years. As the next rounds of negotiations unfold, Congress must protect Medicaid from arbitrary cuts.

Medicaid is an essential lifeline for more than 40 percent of children in America, which is why we oppose all forms of arbitrary cuts and caps to the program, including efforts to block grant or impose per capita caps. While children comprise half of Medicaid enrollees, they account for only 20 percent of Medicaid spending. The evidence is clear that Medicaid is cost-effective, especially when it comes to children, because it ensures access to preventive care, chronic disease management, and early interventions that prevent the need for more costly care down the road. As our leaders look to rein in entitlement costs, children must be held harmless. It is foolish to jeopardize the health and well-being of our lowest-income children and families, especially as they continue to recover from the economic recession. Medicaid is a smart investment in our nation's future and should be strengthened.

### **Protect the nutritional value and availability of school meals<sup>3</sup>**

Congress should continue to fully fund the National School Lunch and School Breakfast Program, which provide child nutrition programs in school, child care, summer, and afterschool settings. Its programs feed about 30 million kids every day in 99 percent of public schools. It is vital to providing children the food they need for healthy development. In order to strengthen the school meals program, Congress should support the Administration's efforts to implement updated national school nutrition standards for foods sold in schools outside the school meals program.

## **ENSURING EVERY CHILD A SAFE AND PERMANENT HOME**

### **Focus child abuse and neglect response efforts on child well-being and meeting all of the child's needs<sup>4</sup>**

Child welfare systems have historically been responsible for ensuring the safety, permanence, and well-being of children in care, but in practice well-being has been more of an afterthought. The current focus on permanency and safety is not sufficient and alone cannot promote healthy development or help children heal from the corrosive effects of maltreatment. Congress needs to place more emphasis on how maltreated children fare in both the short- and long-term. Congress must begin to focus on the unmet needs of children in care and address the trauma they experience, and in doing so foster resiliency and promote child well-being. Congress must address the long-term

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<sup>1</sup> Senate: Finance; House: Energy and Commerce

<sup>2</sup> Senate: Finance; House: Ways & Means

<sup>3</sup> Senate: Agriculture, Nutrition, & Forestry; House: Education & Workforce

<sup>4</sup> Senate: Finance; House: Ways & Means

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trajectory of children who come in contact with the child welfare system and create a broad continuum of services and supports that continue after they leave the foster care system.

- **Reduce the inappropriate use and overprescription of psychotropic medications for youth in foster care.** Stories about an all too disturbing trend in the overutilization of psychotropics for children and youth in foster care are common. They are backed by a growing body of research citing questionable prescribing practices including polypharmacy, alarming dosages, use of psychotropics in treating infants, lack of adequate monitoring or appropriate therapeutic interventions, and off-label use of antipsychotics for children and youth in foster care.
- **Support the Administration’s proposal for a demonstration designed to encourage states to provide evidence-based psychosocial interventions to children and youth in foster care.** A new five-year collaborative demonstration proposal in the President’s FY 2016 budget aimed at reducing inappropriate prescribing practices and the over-utilization of psychotropic medications is a promising opportunity. The proposal specifically requests a five-year joint project through the Administration for Children and Families and the Centers for Medicare & Medicaid Services (CMS) to promote more effective evidence-based interventions targeting children in foster care. The proposal would help coordinate efforts to build state and tribal capacity within child welfare and health care systems to more appropriately address the high rates of children who may be unnecessarily receiving psychotropic medications, often several at one time, even as few receive appropriate outpatient mental health services. The project encourages the utilization of effective evidence-based therapeutic interventions, including therapeutic foster care, intensive in-home and community-based approaches, multisystemic therapy, and mobile response and stabilization services.
- **Reform the current federal child welfare financing structure.** The current federal child welfare financing structure is out-of-date and ineffective. It has not had a significant overhaul since 1996 and fails to recognize best practice findings from the field or incentivize what works for children. As a result, many of the children and families that the system was designed to help have simply fallen through the cracks.

The major federal programs that support children and families who come in contact with the child welfare system are Titles IV-B and IV-E of the Social Security Act, Temporary Assistance to Needy Families (TANF), Medicaid, and the Social Services Block Grant. Of these, Title IV-E is the primary source of federal dollars dedicated to child welfare services. Currently, restrictions in the allowable use of IV-E funds result in the larger portion of federal funding being dedicated to foster care. States should be able to directly access Title IV-E funds for investments in a broad continuum of services for children and families, including prevention, early intervention, and post-permanency services. Doing so would ensure that states have the resources they need to adequately care for the countless children and families they serve. Furthermore, changes to the eligibility policy for Title IV-E foster care payments are long overdue. We urge Congress to consider steps to:

- Limit Title IV-E reimbursement eligibility for foster care to no more than three years in a child’s lifetime to limit the use of foster care and promote permanency. Foster care is intended to be a temporary placement for children as efforts are made to re-unify children with birth families, adoptive families, or other permanent homes. By setting a time limit on federal funding for foster care, we can generate a conversation around the need to incentivize permanency and reduce the use of foster care as a long-term option for children and youth.
- Eliminate federal IV-E reimbursement for group care for children under 13 (with some exceptions) to ensure that young children experience support and other benefits that come from a family setting.

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- Allow states to establish different Title IV-E licensing standards for relatives and other kin seeking to care for a specific child or sibling group, rather than a license to care for any child in state custody. These standards would allow for thoughtful matches of children with kinship foster families who can best meet their needs.
- **Ensure that all young people aging out of foster care can benefit from the Affordable Care Act extension of Medicaid to age 26.** Signed into law on March 23, 2010, the Affordable Care Act (ACA) makes notable improvements to Medicaid and CHIP, and ensures that millions of Americans have access to affordable health coverage through insurance exchanges. Among the ACA provisions that took effect in 2014 were several new requirements that are critical for foster children and other vulnerable youth. Most notably, the law expands Medicaid coverage to former foster children up to age 26. To qualify, individuals must be under the responsibility of the state when they turn age 18 (or older, if the state's federal foster care assistance under title IV-E continues beyond that age). To enroll in or maintain Medicaid eligibility, they must have been enrolled in Medicaid while in foster care and not yet have reached the age of 26.

On January 22, 2013, CMS issued a proposed rule in the Federal Register, which clarified CMS's interpretation that a youth is only eligible for Medicaid coverage in the same state in which he or she was in foster care at age 18 and enrolled in Medicaid. While CMS gave states the option to cover youth under this group who were in foster care and Medicaid in any state at the relevant point in time, it did not require it.

We urge Congress to legislatively clarify that states should provide Medicaid coverage for youth who aged out of foster care in another state. This population of 18 to 26-year-olds is especially transient, and they should not face obstacles in receiving services that Congress intended them to have as they pursue new opportunities in different states.

### Cut red tape for homeless children and youth<sup>5</sup>

According to the U.S. Department of Education, there were over 1.2 million homeless children and youth enrolled in public school in the 2013-2014 school year. Yet many of these children and youth are not able to access homeless assistance services because the U.S. Department of Housing and Urban Development (HUD)'s current definition of homelessness excludes children, youth, and families who are living in motels or temporarily with others because they have nowhere else to go. Congress should:

- **Provide necessary supports inside and outside of the classroom to all of America's homeless children and youth.** Congress should take a major step immediately by passing the bipartisan Homeless Children and Youth Act (S. 256/H.R. 576), introduced by senators Dianne Feinstein (D-CA) and Rob Portman (R-OH); and representatives Steve Stivers (R-OH), Dave Loebsack (D-IA), and Rodney Davis (R-IL); which would amend HUD's definition of homelessness to include children and youth who have been verified as homeless by federal program personnel. It would also restore decision-making to local communities by giving them the flexibility to deliver services based on the needs in their individual community.
- **Restore and maintain funding for the McKinney-Vento Education for Homeless Children and Youth Program.** This would provide public school districts with the resources necessary to identify homeless children living in the district, enroll them in the school that is best for their individual needs, and ensure they have the resources necessary to succeed in school.

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<sup>5</sup> Senate: Banking, Housing, and Urban Affairs; House: Financial Services, Education & Workforce

### REDUCING CHILD POVERTY

One-in-five kids are living at or below the poverty line. This trend is in stark contrast to the progress America has made in reducing poverty among seniors to about 9 percent, or less than half the child poverty rate. While the federal efforts to reduce poverty for the elderly are commendable, it is time the Administration and Congress make the same commitment to children. To lift children out of poverty and into the middle class, Congress should:

#### Set a national target to reduce child poverty

A legislative call to halve child poverty in America in ten years and eradicate it within a generation would establish this target as a national priority and challenge the President and American people to take action towards this goal. Such targets have a proven history of success. While child poverty in the United States has risen sharply over the last decade, the United Kingdom effectively cut child poverty in half over the same period through the creation of a national child poverty target and the implementation of related policies.

#### Protect and strengthen pro-child, pro-family tax policy<sup>6</sup>

While most people tend to think about federal programs when discussing investments in children, federal family tax provisions are critical and impact almost every single American family. Three of the top four overall federal investments in children and families are federal tax provisions. The Earned Income Tax Credit (EITC), the Child Tax Credit (CTC) and the dependent exemption accounted for more than \$145 billion in tax refunds and reductions in tax liabilities in 2013. While all three of these provisions have historically enjoyed strong bipartisan support, the 114<sup>th</sup> Congress needs to protect, and in some instances strengthen, various provisions within the tax provisions.

Leaders within the new Republican majority in the U.S. Senate and the increased Republican majority in the U.S. House of Representatives have stated they would like to consider broad tax reform in the upcoming Congress. The President has stated that he would like to see comprehensive tax reform as well. First Focus believes that any tax reform measures need to place children and the already effective family tax provisions as a chief priority. There should be efforts to strengthen and expand the impact of EITC and the CTC. Specifically:

- **Index the Child Tax Credit to inflation.** More than 38 million American families benefited from the CTC in 2013. While it has had an important impact since its initial creation in 1997, CTC's maximum value of \$1,000 per child has remained flat since 2004. Meanwhile, the cost of raising children has risen sharply. The CTC should be indexed for inflation every year so families can see this credit grow with the normal rate of inflation. Most federal programs, including Social Security and Medicare, are annually indexed for inflation.
- **Make permanent the Child Tax Credit provisions lowering the refundability threshold.** The 2009 stimulus package adopted by Congress made important – yet temporary – improvements to the CTC for very low-income working families by lowering the refundability threshold from \$10,000 to \$3,000. These families live in deep poverty and need every break that they can get. The stimulus improvements to the CTC will expire at the end of 2017. Congress should make permanent these CTC provisions so poor working families can get greater and permanent tax relief.
- **Expand the Child Tax Credit.** The last comprehensive tax reform package was in 1986. Congress should consider the serious tax proposals by Members of Congress, such as Senator Marco Rubio, that would greatly expand the CTC to \$2,500, or even \$3,500 per child. Dramatically increasing the CTC would signal how high a priority this country places on children and their families.

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<sup>6</sup> Senate: Finance; House: Ways & Means

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- **Maintain the Earned Income Tax Credit.** The EITC helps 26 million American families by subsidizing low-income working families and increasing in value depending on the number of children within a family. The Congress and the President need to maintain the EITC so it can continue lifting millions of Americans, and more than 3 million children, out of poverty every year.
- **Implement a Child Tax Credit Baby Bonus.** A Baby Bonus should double the CTC to \$2,000 for the first two years of a child's life in order to support parents raising a newborn baby and the high costs that come with it.
- **Create a second earner tax break.** A second earner tax break should reduce 20 percent of the first \$60,000 in income earnings from married couples with children, as championed by the Hamilton Project at the Brookings Institution. This would allow families to keep more of their earnings in order to raise their children.

### Reform Temporary Assistance for Needy Families to focus specifically on child poverty reduction<sup>7</sup>

Due to its stagnant funding structure, TANF currently serves less than one-in-three of all families living in poverty. Furthermore, despite the fact that 75 percent of TANF recipients are children, child poverty reduction has never been made an explicit program goal. Congress should:

- **Restore TANF Supplemental Grants in the short-term.** While they once provided much-needed funds to high-poverty states, their 2011 elimination forced 17 states to cut critical child and family services.
- **Restore federal matching payments for state expenditures in the Child Support Enforcement Program.** Child support is a proven anti-poverty program that reduces the poverty rate of families who receive it by 25 percent. When the Child Support Enforcement Program is operated in tandem with TANF, it boosts the number of families receiving the child support they're entitled to.
- **Include specific child poverty reduction and improved child well-being goals in TANF.** This would better serve the needs of very low-income families, particularly given the significantly increased percentage of child-only cases within the TANF caseload.
- **Create Children's Fair Share Grants.** These grants would ensure a more equitable funding system for states by indexing the TANF block grant amount to inflation and the child population, and instituting a minimum floor of funding per poor child in poverty at the state level based on the national average of TANF spending.

### Make government work better for kids

There are a number of public programs successful in alleviating the negative effects of child poverty, such as nutrition programs and Medicaid/CHIP, but impoverished families must often overcome a number of obstacles to obtain the assistance designed for them. Congress should ensure that federal programs have a "no wrong door" approach when families apply for public benefits, so a family is considered for all benefits they are potentially eligible for when they apply for any one. This can be achieved through the use of technological innovations, such as data matching and streamlined enrollment/renewal procedures, or improved eligibility determination procedures building off of the success of direct certification efforts and continuous eligibility. These efforts would ensure public assistance programs are able to work as intended and provide maximum assistance to working families and their

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<sup>7</sup> Senate: Finance; House: Ways & Means



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children, such as how Express Lane Eligibility has successfully improved health coverage for children while reducing duplication, bureaucratic red tape, and wasteful administrative overhead.

### End child hunger<sup>8</sup>

No child should go hungry in America, something the Administration acknowledged when it set a goal to eliminate child hunger by 2015. Still, over 15 million children were food insecure in 2013. To eliminate child hunger, Congress should:

- **Fully fund and maintain the current structure of the Supplemental Nutrition Assistance Program and the Special Supplemental Nutrition Program for Women, Infants and Children.** The Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) should be available to every child who needs them until his or her family's income level rises. SNAP provides nutrition assistance to over 20 million children, while WIC serves over 6 million infants and children each month, helping to ensure our kids do not go hungry.
- **Support the implementation of the new healthier standards in the School Lunch Program.** The National School Meals Program in the Child Nutrition Act provides meals to over 30 million children at school and is an important tool in the fight against hunger and obesity. The healthier standards should be protected in authorization this year. This ensures children are fed adequate and healthy meals and can concentrate on their education and not on empty stomachs.

### Ensure the safety of every child

America has a horrific history of violence against children, including mass shootings, murders, other violence (nearly 3,000 children die each year as a result of guns), and domestic violence and abuse. It is clear that we must do more to give our children their most basic need: a safe place to grow up. To do this, Congress should establish reasonable gun control and safety measures that safeguard our children and keep guns out of schools; provide comprehensive mental health services to children, youth, and parents who need it; and expand and fully fund child abuse prevention measures, such as emergency shelters and nurse home visitation programs.

### Reduce the number of sexually trafficked youth<sup>9</sup>

Over 100,000 children are sexually trafficked in the United States every year. Traffickers target especially vulnerable children, including abused and neglected children, LGBT youth, homeless children, and American Indian/Alaska Native populations. Congress should pass legislation including the Stop Exploitation Through Trafficking Act and the Justice for Victims of Trafficking Act that prevents children from becoming susceptible to trafficking; ensures victims are not criminally prosecuted; and provides access to appropriate services such as housing, physical and mental health services, legal services, and other resources needed for rehabilitation. Penalties against those who buy and sell sexually exploited children should be strengthened to deter trafficking from both the supply and demand sides.

## EXPANDING OPPORTUNITY THROUGH EDUCATION AND EARLY CHILDHOOD

The academic achievement gap among low-, middle- and high-income children begins before a child even enters kindergarten, and those inequities are likely to continue throughout school and childhood with serious implications for adulthood. But all children in this country should be given the same opportunities to succeed. To achieve this, Congress should:

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<sup>8</sup> Senate: Agriculture, Nutrition, & Forestry; House: Agriculture, Education & Workforce

<sup>9</sup> Senate: Judiciary; House: Judiciary

### Invest in dual-generation workforce development and early learning strategies<sup>10</sup>

Low-income families must continually balance their own employment and educational pursuits with the needs of their children, especially young children. Dual-generation strategies combine parents' workforce development with high-quality early education and care for their children. Congress should invest in the expansion of existing local models. Scaling these models up so they are available nationwide would help promote the economic mobility and success of more low-income families by improving parents' earning potential and providing young children with the knowledge base to be school, college, and career ready.

### Ensure every child begins kindergarten ready to learn<sup>11</sup>

Promoting the early health, development, and education of our children holds the key to closing the achievement gap and securing our economic future. Research demonstrates that we can best help children succeed by strengthening the capacity and resilience of parents to physically, emotionally, and economically care and provide for their children during their earliest years. Congress should promote and invest in multigenerational approaches and programs to improve the health, education, and opportunities for both children and their parents. Every day we wait to invest in the early development of children and economic opportunities for their parents, we squander the chance to ensure our children's success in school, career and life and our national economic prosperity.

First Focus urges Congress to put the early health, development, and opportunities of both children and their parents first by enacting and/or expanding the following dual-generational proposals and programs in the 114<sup>th</sup> Congress:

- **Increase Availability of high-quality, affordable child care.** High-quality child care fosters the early development of infants and toddlers during their most critical stages of development while allowing millions of working families to maintain gainful employment or attend school. Child care is a lifeline for families and for our economic prosperity. Unfortunately, far too many families lack access to affordable child care. We applaud Congress for reauthorizing the bipartisan-supported Child Care and Development Block Grant (CCDBG) to improve the quality and safety of child care facilities and to align them with early childhood development criteria. First Focus urges Congress to further support children and working families by enacting into law the President's proposal to significantly expand access to child care through a combination of increased funding for the CCDBG and expanding the Child and Dependent Care Tax Credit. The President's proposal would expand child care assistance to all families up to 200 percent of the federal poverty level with children under age 4, allowing 2.6 million children to receive child care assistance each month by 2025. In addition, the proposal would triple the maximum Child and Dependent Care Tax Credit from \$1,000 to \$3,000 to make child care affordable to more middle class families. Together, these two provisions significantly expand child care to more children and families in need, while aligning child care with the safety and quality provisions Congress enacted with the reauthorization of the CCDBG.
- **Strengthen and expand Early Head Start/Head Start with innovations that include workforce development.** Both programs provide comprehensive health, education, social, and nutrition services for children most likely to suffer from health, educational, and economic disparities while empowering parents to provide for and stimulate the early minds of their children. In addition to the multigenerational approach currently built into the Head Start/Early Head Start model, Congress should consider incorporating workforce opportunities for Head Start and Early Head Start parents. These innovations should be considered as part of the reauthorization of Head Start/Early Head Start. In addition, Congress should significantly expand Head Start to include all-day and -year services and to reach

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<sup>10</sup> Senate: Health, Education, Labor, and Pensions; House: Education & Workforce

<sup>11</sup> Senate: Health, Education, Labor, and Pensions; House: Education & Workforce



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more children and families in need. Currently, Head Start serves only 42 percent of eligible families, while Early Head Start serves only 4 percent of the pregnant women and infants eligible for program services. In addition, Congress should expand the Early Head Start/Child Care Partnerships to improve the quality of child care services and expand child care services for low-income families.

- **Increase funding for high-quality pre-K for every child in America.** States and local municipalities across our nation are investing in high quality pre-K for a simple reason: it prepares children to thrive in school. Federal education policy must help states and local communities expand access to pre-k, align it with child care services, and build systems of early childhood learning that meaningfully prepare children to succeed in school. Congress should enact the Strong Start for America's Children Act or other similar proposals to significantly expand access to high quality pre-K for 4-year-olds from low-and moderate-income families through state-federal partnerships.
- **Reduce racial disparities in pre-K discipline.** In addition to expanding access to pre-K and providing states with incentives to align pre-K programs with comprehensive early learning systems that address the needs of children and their parents from birth to age 8, Congress must address the alarming trend of racial disparities in the suspension and expulsion rates of African-American and Latino preschoolers, as well as preschoolers with disabilities. We commend Congress for including provisions in the reauthorization of the CCDBG to collect and monitor preschool expulsion rates. As states expand child care and pre-K, Congress should provide incentives for states to monitor, review, and correct disciplinary actions that result in suspensions and expulsions. Congress should also encourage teacher training, including diversity and inclusion training, as well as teacher coaching, limited classroom size, mental health counseling, and other best practices that are emerging as solutions to combat pre-K suspensions and expulsions.

### Extend Funding for the Maternal, Infant and Early Childhood Home Visiting Program<sup>12</sup>

Evidence-based home visiting supports vulnerable families and their children by improving their early health, cognitive and emotional development, and economic stability, while promoting parenting skills and knowledge that empower families to overcome health disparities, poverty, low academic achievement, dependence on public assistance, and a host of other problems. Enacted in 2010 with bipartisan support, the Maternal, Infant and Early Childhood Home Visiting (MIECHV) Program funds evidence-based and promising home visiting programs that serve 130,000 families in 50 states, 5 territories, and numerous tribes and tribal organizations. These multigenerational programs are enabling states to build systems of care that coordinate services to meet the health, educational, social, nutritional, and economic needs of children and their parents. Funding for this important program at \$400 million annually expires in March 2015. First Focus urges Congress to extend and expand funding for this worthy program to serve more vulnerable children and families.

### Ensure K-12 education provides equitable opportunities for all students<sup>13</sup>

The Elementary and Secondary Education Act (ESEA) reauthorization can be a major step toward education equality and should be one of the major legislative goals of the 114th Congress. ESEA reauthorization should:

- **Make schools the centers of our communities.** Student achievement in the classroom is largely dependent on factors outside of the classroom. Issues such as poverty, hunger, health problems, and violence at home are learning obstacles schools alone can't solve. But models like Communities in Schools and the Harlem Children's Zone show schools can address them through effective partnerships. The

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<sup>12</sup> Senate: Finance; House: Ways & Means

<sup>13</sup> Senate: Health, Education, Labor, and Pensions; House: Education & Workforce

DIPLOMA Act (S.2849 / H.R. 2237 in the 113<sup>th</sup> Congress) shows how federal policy can help states and districts implement these models. ESEA reauthorization should include policy defining effective partnerships and adequate funding for districts to coordinate effective partnerships. States and districts should include planning for coordination and partnerships in their Title I plans, and federal accountability should include student outcomes such as chronic absenteeism and physical and mental health. Districts should also be authorized to use school improvement funds to transform schools identified as needing improvement, corrective action, or restructuring into community schools. The Secretary of Education should be authorized to award grants to local education agencies (LEAs) to partner with existing community resources to provide necessary services to their students. This collaborative framework would engage families and the public in strengthening student achievement, coordinating existing services, and filling gaps in services ranging from tutoring and extended learning to health care and social supports.

- **Ensure student access to fully prepared and effective teachers.** Research indicates that teacher quality is one of the most important factors impacting student achievement, yet students in low-income and minority schools are far less likely to have access to fully prepared and effective teachers, as are students with disabilities and English language learners (ELLs). To promote education equity, Congress should establish and fund a teacher excellence pipeline, starting with partnerships that pair high-need schools with teacher training programs. Reauthorization should also include mentorships and other supports to move new teachers from competent to good, and professional development and leadership opportunities that move seasoned teachers from good to great. Furthermore, ESEA comparability provisions should be strengthened to guarantee equally qualified teachers across schools serving different populations of students, and require transparency on teacher preparation so parents know when their child is being taught by a teacher who is not fully certified and who has not completed their training. This would help make certain that low-income students, students of color, ELLs, and students with disabilities do not experience disproportionate numbers of uncertified, inexperienced, or out-of-field teachers.
- **Close the resource gap to close the achievement gap.** An important step toward closing gaps in education outcomes is closing gaps in available resources between schools. To ensure all schools are able to provide similar resources to their students, such as libraries, challenging coursework, and science labs, ESEA reauthorization should include provisions from the Core Opportunity Resources for Education Act (S. 37, sponsored by Senator Reed) to make adequate resources a school accountability element, and require LEAs to report and make available to the public the per pupil state and local funding levels for each school.
- **Give extra help to kids facing extra obstacles.** Homeless children and foster children face unique challenges to their educational success. Research shows that when a child moves homes more frequently, as homeless or foster kids often do, it can cut the chances of graduating on time by as much as 50 percent. With foster care rates persistently high and the number of homeless students in America at a record 1.3 million, Congress should reauthorize ESEA to make keeping homeless students and students in foster care in their original schools the default, and provide funding to cover transportation costs. It should also prioritize homeless children for preschool enrollment and improve funding, training, and support for school homeless liaisons to meet the growing need, along with a similar support system for foster children.
- **Ensure success from the start.** The evidence for quality early education is clear, in terms of academic performance and return on the fiscal investment. Continued failure to invest in early childhood education means many students start kindergarten already behind their peers and the K-12 system is strained trying to make up for the lost opportunity of early education. ESEA reauthorization should establish the means for LEAs to coordinate with local early education providers to create a continuum of education throughout the early years that help kids build on the solid foundation early education provides. It should also provide additional funding for states to expand pre-K to improve quality and reach more children.

- **Acknowledge testing’s failures.** A dozen years of experience shows mandated standardized testing alone does not promote educational equity, despite lost time and substantial investment from states. ESEA reauthorization should repeal No Child Left Behind’s testing mandates for grades three through eight and ensure any testing in grades K-2 is age-appropriate and only used to inform educational improvement efforts, not to punish kids, parents, or schools. This mandate should be replaced with a less burdensome system that does not test every child every year and does not base accountability solely on student test scores, but still tracks academic achievement disaggregated by race, income, ELL status, and disability status.
- **Increase school accountability.** The growth of charter schools means the education cost to taxpayers has increased, but charter schools have delivered mixed educational results. Reform is needed to ensure that taxpayer funds are not being wasted or misdirected, or used to exclude or push out certain students. ESEA reauthorization should increase transparency and accountability in charter schools by strengthening financial oversight to crack down on fraud, ensuring independent governance and oversight, and requiring improved transparency and tough enforcement measures.

### VALUING CHILDREN AND FAMILIES

Underlying many of the challenges children face, including child abuse and neglect, rising child poverty, high child mortality compared to other economically advanced countries, and high dropout rates despite record lows is the failure to recognize the unique needs and fundamental rights of children. The following recommendations ensure child rights are protected and families have the resources they need to improve child outcomes:

#### Pass immigration reform that promotes the best interests of children<sup>14</sup>

Congress should recognize the importance of the President’s Immigration Accountability Executive Actions in keeping families together and pass immigration reform that would provide a permanent solution for children and families. Immigration reform legislation should:

- **Create path to citizenship, including the Development, Relief and Education for Alien Minors Act.** Any path to citizenship should be affordable and accessible to children and youth in need of status as well as the parents of U.S. citizen and Lawfully Permanent Resident (LPR) children. An expedited path to citizenship through the pursuit of a college education or military service, such as that proposed under the Development, Relief and Education for Alien Minors (DREAM) Act, should be available to individuals who entered the United States as children.
- **Improve the family immigration system.** Backlogs in the current family-based system need to be addressed so that families are not forced to wait decades to be reunited, while preserving all existing visa categories.
- **Reform enforcement policies to keep families together.** All policies regarding the admissibility, detention, and deportation of children and their parents must consider the best interest of children, including enabling immigration judges to exercise discretion in critical admission and removal decisions based on hardship to children. Mandatory detention laws should be modified to ensure that parents are not unnecessarily separated from their children. Deported parents of U.S. citizen and LPR children and beneficiaries of the Deferred Action for Childhood Arrivals program should also be provided an avenue to reunite with their families in the United States.

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<sup>14</sup> Senate: Judiciary; House: Judiciary

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- **Increase protections for unaccompanied migrant children, including legal representation.** The best interest of the child should be held paramount in all decisions regarding the treatment of unaccompanied children, including apprehension, screening, detention, release, and repatriation. Child welfare professionals should be responsible for screening children, and all children should be guaranteed independent child advocates and legal representation before immigration court.

### **Improve and implement family leave opportunities for workers<sup>15</sup>**

Parents in the workforce, particularly in low-income and middle-class families, face the challenge of balancing work and family, especially child care and work. Many lack paid sick time that can be used to care for themselves or their children and are unable to afford longer leave from work after life events such as the birth of a child. Models of how to successfully implement paid sick days and paid family leave policies exist on the state and local level around the country, as well as nationally in a multitude of other countries. Congress should establish a national standard for paid sick days and family leave insurance, which would improve the health of workers and their families, and guarantee our workplace policies promote productivity while protecting families and encouraging the healthy development of young children.

### **Guarantee the basic rights of every child**

The rights of children should be protected to promote positive child outcomes and our nation's future prosperity. Congress should:

- **Ratify the UN Convention on the Rights of the Child.** This international convention was written with input from a number of world leaders, including presidents Ronald Reagan and George H.W. Bush. The UN Convention on the Rights of the Child (UNCRC) would provide our children with the rights and protections they need to grow and thrive and strengthen families by giving them the support they need to raise their children. The nations that have ratified the UNCRC have used it successfully to create standards for improving child well-being through federal programs and policies. In fact, the United States is one of only two countries (the other is South Sudan) that have not yet ratified the UNCRC. By ratifying the UNCRC, Congress would signal the importance of providing a national framework to address the challenges children face.
- **Enact a national children's bill of rights.** While working toward ratification of the UNCRC, Congress should pass a national children's bill of rights. This bill of rights should emphasize the physical, social, and emotional well-being of children, as well as the educational rights and life skills necessary to grow into healthy, productive adults. The bill of rights would have no international influence and would provide a framework for promoting the best interests of all children.

### **Pass legislation to ensure all children receive equal protections in the workplace<sup>16</sup>**

Children who work in agriculture do not have the same protections as children who work in other sectors, despite it being one of the most dangerous industries. Children working in agriculture are permitted to work at younger ages, for longer hours, and under more hazardous conditions. Children working in tobacco fields face additional risks to their health, such as acute nicotine poisoning from direct contact with tobacco. To improve child safety and make sure that work does not impede academic achievement, Congress should pass legislation to amend the 1938 Fair Labor Standards Act to ensure age, hour, and safety restrictions for children working in agriculture are the same as those for all other working children, with the exception of those working on family farms.

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<sup>15</sup> Senate: Health, Education, Labor, and Pensions; House: Education & Workforce

<sup>16</sup> Senate: Health, Education, Labor, and Pensions; House: Education & Workforce

### INVESTING IN CHILDREN AND REFORMING GOVERNMENT

Children make up roughly a quarter of the population and all of our future, but receive just 8 cents of every dollar spent by the federal government, despite the effectiveness of investments in kids. By investing so little in children, we are failing to encourage positive outcomes for children and their families and handicapping the nation's future. To invest more in our future, Congress should:

#### Establish a children's budget

A children's budget is a deliberate and full accounting of all the money spent by the federal government on and for children. Because spending on children is spread over many departments and dozens of bureaus, there is currently no simple way to evaluate the overall level of federal investment in children, and comparing levels across years is equally difficult. A children's budget would gather all sources of funding for children's programs in one place to communicate a clear picture of federal investment in America's young people. With alarming increases in child poverty in recent years, doing better for our children tomorrow starts with knowing how we're doing today. To account for the money spent on and for children, Congress should:

- **Pass the Children's Budget Act.** A Children's Budget Act would amend section 31 U.S.C. 1105 of the United States Code to require the inclusion of a Children's Budget as part of the President's annual budget request. The code already includes several dozen separate, specific instructions regarding the President's annual budget request and has been updated several times to provide more direction. A Children's Budget Act is an easy addition to allow all Americans to judge for themselves the priority that we, as a nation, place on meeting the needs of our children.
- **Take cuts to kids off the table and protect children's share of the budget.** Helping our children succeed should be at the top of our national priorities, but the federal budget reveals that this is not the case. Less than 8 percent of federal spending goes to kids, three times less than spending on the military and only \$1 for every \$7 spent on seniors. Because of the numerous challenges children face and the proven effectiveness of federal spending on children, investments in kids should be off the table when considering budget cuts. This would protect existing programs and send a message that investments in the future of this country are the most important budget items.

#### Issue a warning report

In recent years, the share of federal spending and investments in children has declined rapidly while interest payments on the debt continue to increase. Both trends are harmful to children. Consequently, Congress should require that the Congressional Budget Office (CBO) include an estimate of when federal interest on the debt will exceed federal spending on children in the federal budget. If that date is projected to occur within two years of the CBO estimate, the President must submit – and Congress must consider – proposals that modify federal budget priorities so that our nation will not cross the point where interest on the federal debt exceeds all federal investments and spending on children.

#### Require child impact statements for certain government actions

Congress should pass a law to institute child impact statements to ensure children and their unique needs receive explicit consideration in the formulation and implementation of subsequent public policy. Child impact statements examine existing and proposed policies, regulations, and legislation to determine their potential impact on children and whether they effectively protect child well-being. At present, policies affecting children are often fragmented across a number of government departments and agencies, frequently making children's interests an afterthought placed second to other more high-profile policy agendas. Child impact statements, which are being implemented successfully in countries such as the United Kingdom, Sweden, and Ireland, would address this lack of coherence and coordination of policy impacting children. This would allow us to assess the impact of public policy on children,



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raise their visibility in the policy arena, solidify our commitment to the nation's children, and help shape policy to meet the needs of the next generation. It is critical that children receive priority in the policymaking process, and child impact statements would require policymakers to consider children as a unique population, increase children's visibility, and convey the message that children's needs are critical in the decision-making process.

### **Establish a federal children's ombudsman**

Children lack access to direct participation in government and are often restricted in their access to the legal system, but they are the population most affected by the action, or inaction, of government. A national children's ombudsman would provide accountability and oversight for children's issues, rights, and services across the federal government. It would not provide any direct services to children and families, but the office would have a mandate to advise the Administration and Congress on domestic and international child rights issues and actively collaborate with state-level ombudsman programs (as of 2014, these offices existed in approximately 38 states). The Office of the Child Ombudsman would comment and report on federal policies and practices affecting children, including proposed federal legislation; promote nationwide respect for children's participation and their views; educate the public on child rights; give children an effective means of redress when their rights are violated; and help coordinate domestic interagency program plans related to children's services.

### **Establish a Presidential Youth Council**

The unique perspectives of young people are essential to ensure decisions made by the government about youth services are effective and efficient, but these perspectives have been largely absent from public discourse, resulting in less effective federal programs for children and youth. Numerous states, including Maine, Iowa, Louisiana, and Massachusetts, have created councils comprised of youth who advise the state government on decisions that affect children and youth to help solve this problem. Congress should follow this lead and create a Presidential Youth Council to guarantee youth a voice on issues that impact them directly.

### **Establish a bipartisan National Commission on Children**

Building on the very successful and bipartisan National Commission on Children from 1991, Congress should establish a National Council on Children to identify and consistently measure indicators of child well-being, help maintain support for long-term investments in our children, annually assess the performance of the United States in ensuring the well-being of children, and set forth new public policy ideas aimed at improving outcomes for children. This is a critical first step in reversing the downward trend for America's children. By bringing the needs of children to the policy forefront and generating momentum for improving the lives of our nation's youth, the National Council on Children would help make America first among nations on child well-being. It would catalyze the next generation of groundbreaking policies for children and families, focus the attention of federal policymakers and national news media on children's issues, generate new ideas for policy reforms that meet the challenges children face today, and create momentum for once-in-a-generation change.

### **Establish child savings accounts to allow and encourage asset-building**

Current U.S. policy promotes asset building within middle- and high-income families. These policies either neglect to include low-income families in asset education and outreach efforts or penalizes them within public assistance program rules for accumulating even a small amount of savings or owning a car to travel to work. Research has shown that a family's savings and assets have a higher correlation to the next generation's upward mobility than family income. Assisting households in developing "child savings accounts," lifetime savings accounts specifically for children and often seeded with a small initial deposit from the government, would develop positive savings



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behaviors while building a strong financial basis for future educational and personal growth opportunities. Congress should revive past efforts, such as the bipartisan ASPIRE Act, to create a savings account for every child at birth that would be available for post-secondary education, first-time home ownership, and retirement savings.