



Evaluation of the TANF Child Care Collaborative

Interim Evaluation Report September 2002

Submitted to:

Child Care Law Center

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Evaluation of the TANF Child Care Collaborative Interim Evaluation Report

Executive Summary

The TANF Child Care Collaborative (TCCC) has brought together three legal advocacy and child care advocacy organizations, each with expertise and experience that is national in scope, to address a variety of state- and local-level child care problems affecting TANF recipients. The TCCC organizations are the Child Care Law Center, the Welfare Law Center, and the NOW Legal Defense and Education Fund. The Collaborative was created in order to make maximum use of the expertise and resources of these three organizations, to determine and implement the best possible response to these child care problems in the complex policy and advocacy environment created by devolution. Beginning in mid-2000, the Collaborative received major three-year grants from the David and Lucile Packard Foundation and the John D. and Catherine T. MacArthur Foundation, and smaller grants from the Annie Casey Foundation, the Hearst Foundation, and the A.L. Mailman Foundation.

The goals of the Collaborative fall under three general categories:

- 1) Building the capacity of state-local advocates through training, networking (especially by bringing together child care advocates and legal services advocates), and partnering with the Collaborative, including identification of at least one organization in each state in which the Collaborative works, to take on TANF child care issues as an ongoing focus of its legal and policy advocacy.
- 2) Bringing about specific changes in child care policy or administration in each of these states, through the combined work of the Collaborative and the state-local advocates, with particular needs to be identified on a state-by-state basis.

- 3) Building broad knowledge about TANF child care policy and legal issues, disseminated through articles, conferences, and the project website, that can be used by advocates in all states.

Based on its research and experience, the TCCC has identified a set of policy/legal issues on which to target its efforts, with the relative issue emphasis varying by state. These issues include due process/sanctions protection rights of TANF recipients; uptake of child care subsidies (barriers to access); barriers to child care faced by families having children with disabilities; and a variety of issues related to license-exempt child care (kith and kin care).

On June 1, 2001, Berkeley Policy Associates (BPA) entered into a contract with the Child Care Law Center to conduct a two-year evaluation of the TANF Child Care Collaborative. To capture the project's process and outcomes, evaluators are employing primarily qualitative methods that include activity tracking, interviews with advocates in each of the states in which the Collaborative has worked, interviews with Collaborative staff, and review of documents. The evaluation is an opportunity to conduct informative case studies of partnerships between national and state-based child care advocates, that can help guide the future direction of these partnerships. Case studies entail the collection of detailed information on the project's implementation, the contexts in which implementation occurs, and changes in state-based advocacy and policy that are occurring within the timeframe of the evaluation.

The following are highlights of the findings of the Interim Evaluation Report, completed at the conclusion of the first year of the two-year evaluation.

Key Accomplishments

The TCCC has carried out advocacy in four states, including the two home states of the Collaborative organizations, New York and California, and the additional states of Illinois and Texas. In each of the four states, the Collaborative has worked with a partner or partners to identify barriers to child care for TANF and low income families, has sponsored a conference and other training sessions for child care and/or legal service



advocates, has participated in state advocacy, and has distributed informational materials, manuals, and model testimony. The Collaborative Steering Committee has determined that the project has attained most or all of its key benchmarks for achievement in those states and is ready to move into an additional state. Alabama has been selected as the fifth state, with project activity to begin in Alabama this fall.

In addition to its state-based work, the TCCC has conducted and disseminated issue-based research, writing, and advocacy tools that are designed to be useful to advocates across states. TCCC staff have maintained a listserv for 160 advocates, and have delivered trainings and presentations regarding state advocacy work at national conferences. The project maintains a website that includes legal rulings, testimony from hearings, and fact sheets on parents' rights.

Key impacts of the TCCC include the following:

Addressing TANF Recipients' Legal Rights Related to Child Care. A major accomplishment of the Collaborative has been promoting awareness of these rights among legal service advocates, TANF recipients, and government officials. The Collaborative is well positioned to work effectively on this issue in additional states, using the training, administrative advocacy, and handbook dissemination strategies it has demonstrated so far. Should work requirements become even stricter under TANF reauthorization, this area of work will become even more important.

Advocacy Capacity Building through Sharing and Enabling Strategies. Many of the skills and tools of the Collaborative staff in legal and policy analysis and advocacy have been imparted to state based advocacy organizations in the four states. This capacity building occurs not only through formal training but also through working together on administrative and legislative advocacy, disseminating model testimony and comments on regulations. One TCCC attorney called this a process of "sharing and enabling." State-based organizations with whom we spoke confirmed that they developed new advocacy tools as a result of working with the Collaborative.

Placing Key Child Care Policy Problems on the State Agenda. The TCCC worked with state-based advocates to identify problems with subsidized child care systems, to bring

these problems to the attention of state and local officials, and to create momentum for change. State agencies are facing accountability on some of these issues for the first time. Other issues had been acknowledged previously, but the TCCC helped move a stalemated policy discussion to a stage of active policy development.

Consensus Building. The experiences of the Collaborative organizations in working on behalf of multiple child care constituencies equipped the TCCC staff to bring together diverse groups of advocates in conferences and to approach child care policy from a broad perspective. TCCC staff brought facilitation skills that effectively served to move advocates beyond differences and establish a common groundwork for an advocacy agenda.

Cross-State Research. Collaborative members were able to use their knowledge of policy in multiple states, as well as their research on federal law, to inform their work within any one state. This broad context lent credibility to their positions and sometimes prompted action among advocates or officials who worried about “not measuring up” to what other states were doing.

Key Challenges

The TCCC has faced a number of challenges, including:

Scarce State Advocacy Resources. Even with the assistance of the TCCC, advocacy work in states requires a significant time investment from state-based groups, and these groups must be capable of sustaining the work if the Collaborative is to have a lasting impact. State based legal advocacy groups already have a demanding workload and limited staffing. The task of resource development for these organizations was added to training and other capacity-building activities of the Collaborative.

Complexity Created by Devolution. Devolution has limited the cross-state transferability of legal and policy analyses, and has greatly intensified the level of work needed within each state to understand that state’s TANF/child care system and how to best advocate for improvements. The situation is even more complicated in states such as

Texas with child systems that are highly devolved to the county or regional level.

Costs of Collaboration. Creating and managing a formal collaboration composed of three existing organizations entails considerable costs in management, communication, and decision-making time. These costs need to be weighed against the benefits of blending the three organizations' areas of expertise and constituency networks.

The evaluation's conclusion is that the benefits of the Collaborative significantly outweigh the costs. The impact of the TCCC has been significant in those states in which it has worked, and has the potential to be far-reaching. The barriers to access to child care, and the inattention to child care rights of TANF and low income families, are pervasive problems in many states, and the Collaborative has demonstrated that advocates can make a difference in addressing and ameliorating these problems. It has done so by calling upon public officials to bring about changes in policy and administration, and even more important by equipping state-based advocates with tools to carry on this advocacy in the future. Although the scope of the evaluation does not permit us to directly link state outcomes to the work of the TCCC, the data that we have collected through interviews with state-based organizations strongly supports the conclusion that the TCCC has had a substantial impact.

Fine-tuning of the Collaborative structure, and considerations of alternatives to a formal collaboration, are being undertaken by the Collaborative members to help reduce costs and maximize benefits. The evaluator will continue to work with the TCCC in the coming year, collecting data in all five TCCC states to assist in building knowledge about effective national-state advocacy partnerships.

1. Introduction

Berkeley Policy Associates is pleased to submit this Interim Evaluation Report on the TANF Child Care Collaborative. The report presents findings from the first year of a two-year evaluation, extending in full from June 1, 2001 to July 1, 2003 (with a possible extension through December, 2003).

The TANF Child Care Collaborative (TCCC) has brought together three legal advocacy and child care advocacy organizations, each with expertise and experience that is national in scope, to address a variety of state- and local-level child care problems affecting TANF recipients. The Collaborative was created in order to make maximum use of the expertise and resources of these three organizations, to determine and implement the best possible response to these child care problems in the complex policy and advocacy environment created by devolution.

The findings of this evaluation are that the impact of the TCCC has been significant in those states in which it has worked, and has the potential to be far-reaching. The barriers to access to child care, and the inattention to child care rights of TANF and low income families, are pervasive problems in many states, and the Collaborative has demonstrated that advocates can make a difference in addressing and ameliorating these problems. It has done so by calling upon public officials to bring about changes in policy and administration, and even more important by equipping state-based advocates with tools to carry on this advocacy in the future. Although the scope of the evaluation does not permit us to directly link state outcomes to the work of the TCCC, the data that we have collected through interviews with state-based organizations strongly supports the conclusion that the TCCC has had a substantial impact.

The Collaborative organizations include:

- The Child Care Law Center (CCLC), founded in 1978, is the only organization in the nation focusing on child care law. The CCLC engages in child care policy analysis and public policy advocacy as well as legal analysis and advocacy. In

addition to its involvement in national advocacy and research, CCLC has worked extensively in the State of California to inform and implement child care legislation related to welfare. The CCLC is located in San Francisco.

- The NOW Legal Defense and Education Fund, established in 1970 and based in New York City, engages in federal and state advocacy and policy development on issues related to women's rights. NOW's involvement in the TCCC builds on its work in the State Advocacy Project, which addresses a range of social policy issues related to welfare reform in seven states.
- The Welfare Law Center (WLC), a national law and policy organization founded in 1965, is also based in New York City. The WLC conducts legal and policy advocacy related to welfare, food stamps, Medicaid, and child care assistance. The WLC is also responsible for the Low Income Networking and Communications Project, which uses electronic communications to help grassroots organizations have an impact on local policies.

The goals of the Collaborative fall under three general categories:

- 3) Building the capacity of state-local advocates through training, networking (especially by bringing together child care advocates and legal services advocates), and partnering with the Collaborative, including identification of at least one organization in each state in which the Collaborative works, to take on TANF child care issues as an ongoing focus of its legal and policy advocacy.
- 4) Bringing about specific changes in child care policy or administration in each of these states, through the combined work of the Collaborative and the state-local advocates, with particular needs to be identified on a state-by-state basis.
- 5) Building broad knowledge about TANF child care policy and legal issues, disseminated through articles, conferences, and the project website, that can be used by advocates in all states.

Based on its research and experience, the TCCC identified a set of policy/legal issues on which it expected to focus, with the relative emphasis to vary by state. These issues include due process/sanctions protection rights of TANF recipients; uptake of child care subsidies (barriers to access); barriers to child care faced by families having children with disabilities; and a variety of issues related to license-exempt child care (kith and kin care).

The Collaborative received its initial and largest grant in May 2000 from the David and Lucile Packard Foundation and an additional significant three-year grant in 2001 from the John D. and Catherine T. MacArthur Foundation. Additional grants to the Collaborative have been awarded by the Annie Casey Foundation, the Hearst Foundation, and the A.L. Mailman Foundation. Collaborative activities are currently funded through 2003.

Goals and Progress of the Evaluation

On June 1, 2001, Berkeley Policy Associates (BPA) entered into a contract with the Child Care Law Center to conduct a two-year evaluation of the TANF Child Care Collaborative. The contract identified the following tasks for completion by BPA:

- Finalize evaluation plan.
- Assist with documentation of project activities.
- Assist with documentation of changes in actual policy or policy implementation.
- Attend relevant state and regional conferences.
- Conduct telephone interviews with stakeholders.
- Write evaluation reports.

To date, evaluators have carried out the following activities:

Evaluation Planning and Design. Evaluators worked with the Steering Committee of the Collaborative to review and revise the evaluation approach; to formulate specific project goals and outcomes (including state-specific outcomes) that might guide the evaluation; to design and implement an activity tracking database; and to develop interview strategies, lists of respondents, and interview questions.

Activity Tracking Database. The evaluation team designed, in cooperation with the Steering Committee, a database in Microsoft Access for use by all Collaborative staff to record project-related activities by key categories each month. We collected activity data for the months November 2001 through April 2002, and used this data to inform and guide interviews conducted in the months of April and May. We also analyzed activity data by outcome categories and include the results in this report.

Attendance at Conferences/Training Sessions. Evaluators attended Collaborative-sponsored conferences in California (July 2001), Texas (October 2001), and New York (November 2001). In conjunction with conference attendance we conducted brief interviews with project partners in Texas and New York.

Telephone Interviews with Project Partners and Staff. Evaluators conducted half hour telephone interviews with partnering organizations in each of the four states in which the Collaborative has worked. Collaborative Steering Committee members identified interview respondents and provided contact information to the evaluation team. Numbers of interviews completed for each state were as follows: five in California, seven in Illinois, nine in New York, and eight in Texas. Interviews addressed the nature of the working relationship between the respondent's organization and Collaborative organizations, and impacts of the Collaborative on the respondent organization's work, on advocacy more broadly, and on state/local policy or administration. In addition, evaluators conducted telephone interviews with nine staff of the Collaborative project, including three each from each of the three Collaborative organizations. These interviews addressed accomplishments and challenges faced by the Collaborative with respect to its key goals, including strengths and weaknesses of the Collaborative structure, and lessons learned.

Review of Documents and Conference Evaluation Forms. Evaluators also have incorporated into their analysis review of Collaborative products, including reports to funders and materials posted on the project website. We reviewed conference evaluation forms completed by participants at the Texas and New York Conferences.

Evaluation Questions and Approach

In our evaluation proposal, BPA identified the following key research questions that would guide the evaluation of the Collaborative:

- As the project proceeds, is it meeting the expected timetable for implementation of activities? What are the reasons for any delays or changes in implementation plans?
- Has the project clearly identified key barriers to child care access in the designated states, and are the project strategies and priorities in each state well designed to address and remove these barriers?
- What advocacy strategies and public information materials have been developed in these states that would not have existed in the absence of the project?
- If possible to determine within the three-year time frame of the project, what are the apparent impacts of the project on policy and administrative actions in the designated states?
- How have state and local child care and welfare rights advocates enhanced their advocacy strategies as a result of the project, including their long-term capacity to advocate effectively?
- In the opinions of stakeholders and partnering agencies in all designated states, what are the most effective models of advocacy developed and disseminated by the project? How can these models be further disseminated and sustained?

With respect to the last question, evaluators originally expected to focus on the relationship between advocacy strategies and project outcomes, as mediated by different types of state policy environments. One of our initial goals was to identify and describe models of advocacy that were successful in different types of states. However, the very small sample of states and the complexity of policy environments limit this type of analysis. Moreover, strategies used by the Collaborative to influence state and local child care policy are determined and implemented in close coordination with a state-based partner(s). The most immediate challenge and contribution of the Collaborative has been in determining how to work effectively with state-based advocates. The Collaborative seeks to develop these partnerships to produce both short-term legal or policy results and long-term in-state capacity. At the same time, the Collaborative must determine how to efficiently spread and share the resources of the three Collaborative organizations across the states. The evaluation therefore addresses questions about these processes, which can yield essential lessons for future state advocacy support initiatives, whether undertaken by the Collaborative or by others.

In addition to the questions posed in the proposal, this report is informed by consideration of the following, each of which relates to at least one of the three key goals identified at the beginning of this chapter, and to the overall process of the Collaborative in working towards all goals:

- What processes has the Collaborative used for working with partners in each state, both to build in-state advocacy capacity and to develop legal and policy initiatives that can and do bring about the needed changes? What were the challenges and accomplishments of this process?
- To what extent has the Collaborative developed and shared legal and advocacy models and issue-based research that is applicable across states? Given the limits on the transferability of legal and policy analysis across states (especially in a highly devolved environment), what learning processes (both within the Collaborative and across the larger advocacy community) are most effective?

- What work structure and process have been developed for building on the Collaborative synergy, ensuring both effective use of members' expertise and efficient completion of tasks needed for achieving goals?
- How has the Collaborative determined the scope and limitations of its role in each state, balancing the need to have an impact within each state with the goal of working in a number of states?
- Overall, what have been the benefits and challenges of the Collaborative experience, and what are the lessons for future advocacy support?

These questions are addressed within the report sections as outlined in Figure 1. This figure presents each of the report topics and the data sources for each. Within each topic, the report discusses state-specific process and accomplishments as relevant.

Figure 1. Overview of Evaluation Topics and Data Sources

Topic	Data Source
An Overview of TCCC Activities	<ul style="list-style-type: none"> • TCCC reports, documents • Activity database • Interviews with TCCC staff
State-Based Advocacy and Impacts:	
Goals and process	<ul style="list-style-type: none"> • Staff and partner interviews • Conference observations • Collaborative reports
Advocacy capacity building impacts	<ul style="list-style-type: none"> • Partner interviews • Conference evaluations
Policy, administrative, legal impacts	<ul style="list-style-type: none"> • Staff and partner interviews • Collaborative reports
Issue-Based Research and Cross-State Learning	<ul style="list-style-type: none"> • Website and documents • Staff interviews
Collaborative Structure, Process, and Planning	<ul style="list-style-type: none"> • Staff interviews, documents
Synthesis of Lessons Learned	<ul style="list-style-type: none"> • All

Identifying and Attributing Outcomes to the TCCC

We have relied and will continue to rely extensively on interviews with the project's partner organizations (and post-conference evaluation surveys available for some TCCC conferences) to report the project's impacts on advocacy capacity, and have used these interviews as well as the TCCC's own documentation to report impacts of the project on policy or administrative changes in the participating states. In the evaluation's second year, we will investigate the availability of data on child care outcomes that would be expected to result from policy change. For example, increasing rates of uptake of child care subsidies by transitioning TANF clients in New York City would be an indication that the new automated system (introduced in response to advocacy calling for a seamless system) is having an effect on clients. We recognize, however, that numerous contextual factors beyond the control of the TCCC influence these outcomes. Moreover, actual changes in child care systems are a work-in-progress of the Collaborative, many to be realized only after several years of research, advocacy, and legislative or administrative responses to advocacy. The building of advocacy capacity within each state remains the prime short-term goal of the Collaborative, necessary to sustaining progress towards longer-term policy change. Interviews and surveys are the most effective tools for identifying ways in which the TCCC influences what state advocates do.

The evaluation is an opportunity to conduct informative case studies of partnerships between national and state-based advocates. Case studies entail the collection of detailed information on the project's implementation, the contexts in which implementation occurs, and changes in state-based advocacy and policy that are occurring within the timeframe of the evaluation. Establishing that these changes are "outcomes" of the project relies on documentation of a sequence of events leading up to change and on confirmation from multiple respondents that the project played a pivotal role. We will continue to use this case study approach in the second year of the evaluation, with the benefit of longer-term follow-up on outcomes in the four original states. The second year will also provide an opportunity to view advocacy under changing political and funding circumstances, and possible changes in TANF regulations.

2. Overview of Collaborative Activities

The TCCC has carried out advocacy in four states, including the two home states of the Collaborative organizations, New York and California, and the additional states of Illinois and Texas. The Collaborative Steering Committee has determined that the project has attained most or all of its key benchmarks for achievement in those states and is ready to move into an additional state. In each of the four states, the Collaborative has worked with a partner or partners to identify barriers to child care for TANF and low income families, has sponsored a conference and other training sessions for child care and/or legal service advocates, has participated in state advocacy, and has distributed informational materials, manuals, and model testimony. Working with its Advisory Panel on selection of the next state, the Collaborative has conducted research on a number of Southern states and has chosen to begin work in Alabama in the coming year.

The TCCC maintains a website and a listserv through which it distributes reports and notices to approximately 160 advocacy organizations. TCCC reports, manuals, and training materials from the four states are also posted on the project website.

Other work of the Collaborative has included development of an organizational structure for decision-making and work assignments among participating staff. A Management Committee composed of executive directors of the three organizations oversees grant management. A Steering Committee, created in 2001, meets by monthly teleconference to provide guidance and policy for the Collaborative's substantive work. One attorney from each of the three organizations participates in this Committee. Steering Committee members also participate in the Management Committee.

Evaluators worked with Collaborative staff to track project activities for the period of November 2001 through April 2002. Staff were asked to record key activities, time spent, and outcomes or goals to which these activities were directed. Figure 2 reports the results of the activity analysis by state. These results provide a general guide to the variation in project emphases across states, and to the expected association between project activities and outcomes. However, activities were sometimes difficult to categorize, and staff often reported that individual activities related to multiple goals and outcomes.

The overriding emphasis of the Collaborative on building state-based advocacy capacity comes across clearly in the prioritization accorded to knowledge enhancement and coalition-building. Even when staff were engaged in specific legal or policy analyses or advocacy activities, they often identified this simultaneously as a knowledge-building activity for their state-based partners. Collaborative staff undertook all or almost all activities in close coordination with state-based organizations, so that expertise and advocacy strategies were continually being shared with the goal of promoting their longer-term use in the state. This emphasis on capacity building also meant that a good deal of time was spent on communications; activities such as networking and conference planning required frequent meetings, teleconferencing, and electronic communications.

Figure 2. TCCC Goals and Activities

State	TCCC Goals to Which Activities were Addressed (in order based on most time spent)			Primary Activities	Other Key Activities
Illinois	Enhance knowledge regarding license-exempt care	Implement recommendations serving children with disabilities	Enhance knowledge regarding special needs	Training/conference planning	Administrative advocacy, background research
New York	Enhance knowledge base of advocates	Build coalitions/networks	Improve uptake of subsidies	Training & administrative advocacy	Individual representation
Texas	Enhance knowledge base regarding due process and protections	Build coalitions/networks	Enhance knowledge regarding eligibility and affordability	Administrative advocacy & networking	Training & information dissemination
California	Enhance ability to compare California with other states	Enhance knowledge base regarding due process/protections	Enhance knowledge base regarding license-exempt care/subsidy utilization	Networking & background research	Administrative & legislative advocacy
Non-State Specific	Enhance knowledge regarding subsidy utilization	Enhance knowledge regarding eligibility	Increase knowledge regarding unlicensed care	Background research & writing articles	

3. State-Based Advocacy and Impacts

In this chapter we discuss highlights of TCCC work in each of the four states in which it has been directly involved to date. These include New York, Illinois, Texas, and California. For each of these states, we review the Collaborative's goals, activities, and impacts on both advocacy capacity-building and subsidized child care administration or policy.

New York

Goals for Advocacy in New York

New York is the home base for two of the Collaborative organizations, who identified a number of gaps in state advocates' capacity for addressing child care problems for TANF and low income families. The complexity of state and local systems for administering subsidized child care, and lack of cohesion among the states' varied advocacy groups, present challenges. The Collaborative established the following goals in the area of advocacy capacity-building:

- Promotion of improved communication and coordination between child care advocates and legal services advocates on child care issues, with focus on using a statewide conference to bring groups together for training and coalition-building.
- Participation in and contribution of legal and policy analysis expertise to ongoing advocacy efforts such as the Welfare Reform Network in New York City and the statewide Child Care That Works campaign.
- Trainings of legal services workers and other case workers on state and local TANF child care procedures, law, and clients' rights.
- Continuing partnership with Greater Upstate Law Project on state-level legal advocacy.

Activities in New York

The Collaborative built on existing relationships of the two New York-based organizations. Through the TCCC grant, staff were able to bring increased resources to bear (increased staffing and time commitment) to put child care issues on the agenda of legal services advocates and to impart legal knowledge to child care advocates. They focused on broadening outreach, training and networking, and developing a structure for consistent, regular meetings between advocates and government officials.

The Collaborative co-sponsored (with the Greater Upstate Law Project) and facilitated a one-day statewide conference in November 2001. Attendants included approximately 50 legal service advocates, child care advocates, and child care providers; we do not have a numeric breakdown of participants by category. Staff of the TCCC introduced the Collaborative at the conference and invited attendees to use it as a resource. The conference included training sessions targeted to both legal service advocates and to providers, and a brainstorming session to identify and problem-solve issues and problems warranting advocacy. The latter included four breakout groups: parent-related administrative issues, provider administrative issues, legal issues, and training and compensation issues for providers. Staff of the Collaborative facilitated the discussions, which were very lively and elicited broad participation and sharing of ideas.

Representatives of the Collaborative participated in the Child Care Subcommittee of the Welfare Reform Network in New York City. Collaborative roles have included letter writing and presentations/meetings with the two city agencies responsible for administering subsidized child care, the Human Resource Administration and the Agency for Child Development. With the Child Care Subcommittee, Collaborative staff met with City Council staff interested in child care initiatives. In addition, Collaborative staff met with the city's newly elected Public Advocate, briefing her on child care issues. The Collaborative also provides educational materials to the WRN as a whole, which includes representatives of 40 agencies, on TANF reauthorization and child care issues.

Collaborative staff presented numerous trainings in New York City: a training for legal services advocates on TANF and low-income child care issues, sponsored by the Welfare Reform Network; training on Know Your Rights for women in the welfare-to-work

program at the Maura Clark-Ita Ford Center in Brooklyn; a training on Know Your Rights for parents at CUNY; and several additional trainings for social workers, community organizers, and domestic violence workers on child care rights and city policies.

With the Greater Upstate Law Project and several other advocacy groups, representatives of the Welfare Law Center and NOW have participated in a Legal Services Advisory Committee that meets quarterly with representatives of the State Office of Children and Families. Focuses of these discussions to date have included development of informational materials on subsidized child care for parents and providers, and addressing several problems related to subsidized child care for children with special needs.

Impacts on Advocacy in New York

We interviewed representatives of eight organizations who worked with the Collaborative in some capacity in New York State. We asked the respondents how the Collaborative's work had enhanced or changed the work done by their own and other organizations. We synthesized these responses into the following topics:

Putting Child Care on the “Radar Screen” of Legal Advocates. Child care has generally not been a focus for legal service advocates, according to several respondents. The regulations regarding child care are so complex and confusing, due in part to the multiple funding sources involved, that neither clients nor lawyers know which rules apply, nor do legal service advocates have time to conduct the necessary research without additional help. Through the statewide conference, other training sessions, and information dissemination, the Collaborative has brought increased attention to child care and has assisted the legal service community by “filtering through” and explaining the complex regulations that many do not have time to review on their own.

Increasing the Effectiveness of Advocacy Groups that Seek to Affect State and City Policies. Several respondents noted that the organizational resources for child care policy advocacy are severely limited due to restrictions on the activities of legal service organizations and child care resource and referral agencies. While organizations such as the Welfare Reform Network and the Greater Upstate Law Project have engaged in child

care advocacy in the past, their work has been greatly “energized” by the increased involvement of NOW and the Welfare Law Center. The Collaborative staff have introduced new strategies for working with public officials, have contributed their legal expertise and reviews of regulations, and have done extensive letter-writing and presentation of testimony. The Collaborative also developed a Memorandum of Understanding with the Greater Upstate Law Project and provided this organization with subgrants of \$15,000 to support child care legal advocacy, and an additional \$4000 for work on the statewide conference.

Recognizing and Addressing the Legal Concerns of Providers as well as Parents. The conference in Albany identified the “crying need for legal assistance” for child care providers, stated one respondent. Concerns about delayed payments and retroactive payments, liability insurance, accommodations for children with special needs, and child protective services reporting, were among the provider issues discussed. Another respondent commented that the Collaborative, particularly the Child Care Law Center, is one of few organizations recognizing that in low income communities, “child care providers and parents are the same population,” and both have pressing legal and economic needs that must be met to ensure adequate child care. Traditionally, in the legal services community, providers have been viewed as adversaries, and the conference broadened this view.

Broadening Client Advocacy to Policy Advocacy. Several legal service advocates noted that they learned new “channels” for advocacy as a result of working with the Collaborative staff. One commented that “traditional client advocacy” in the form of hearings isn’t always the best route on child care issues; she had learned from the TCCC staff how to develop “informal relationships” with agency officials to proactively address child care issues that affect clients.

Policy and Administrative Impacts: New York

Promotion of a Seamless Child Care System in New York City. In 2000, TCCC staff, as part of their work with the Child Care Subcommittee of the Welfare Reform Network, advocated to create New York City Council Oversight Hearings focusing on problems in the administration of child care subsidies in the city. The Collaborative staff and others have presented testimony at these hearings, particularly regarding the need to create a

seamless transition for families entitled to retain child care subsidies after exiting TANF. In response to a variety of advocacy efforts, the City put in place in 2001 an automated information system designed to create a smoother transition from TANF child care to non-TANF low income child care. The Collaborative and the other Subcommittee Members are monitoring the implementation of this system and maintaining its accountability through the hearing process.

Updating of Parental Fee Schedules and Eligibility Levels in New York City. The Agency for Child Development in New York City had been using a ten-year-old methodology for determining parental copayments for transitional and low-income child care. In response to litigation by NOW LDEF in 2000, New York City updated its fee schedule. (This litigation was not funded by the TCCC grant.)

Changes in State and Local Policies Regarding Children with Disabilities. At the state level, the TCCC has worked with the Legal Services Advisory Committee to advocate for changes in outdated policies that did not conform to the Americans with Disabilities Act. State administrators have agreed to update current directives and to distribute public information materials for parents and providers regarding disability, including the availability of higher reimbursement rates for providers who care for children with disabilities. In the city of New York, TCCC staff working with other advocates and parents, convinced the Human Resources Administration to exempt from work requirements for parents of children with disabilities.

Distribution of Uniform Information on Child Care Rights and Processes. As the result of advocacy by the Legal Services Advisory Committee, the State Office of Children and Family Services agreed to work with advocates to develop pamphlets providing uniform information on child care rights of parents and providers. Comments by respondents on how the TCCC helped produce policy/administrative impacts:

- Collaborative members have “helped us developed a good strategy. They use a balanced, judicious approach backed up by research. . . They set forth expectations for public officials for a response by a given date” and then follow up on this.

- A respondent described an incident in which a New York City agency was withholding information advocates believed to be public. The Collaborative member drafted a Freedom of Information request, working with other members of the Subcommittee, citing the legal basis for release of information. The request was granted.
- “They (TCCC staff) helped us use informal advocacy relationships with agency officials.” Collaborative staff identified people in the bureaucracy whom advocates could contact to develop a positive and productive working relationship.

Ongoing Needs and Priorities for Advocacy in New York

Interview participants identified some of the following continuing gaps in advocacy and possible future focuses for the Collaborative’s efforts:

- Gaps between upstate and downstate advocates, and between the legal services and child care advocacy communities, remain. A one-time statewide conference is not sufficient to build a more cohesive advocacy network; follow-up meetings and conferences are needed.
- Child care providers face numerous financial and legal challenges, and providers need better representation and more opportunities to work together, for example on negotiating rates for reimbursement that more fairly reflect market rates.
- Child care advocacy coalitions require ongoing outreach to involve providers and resource and referral agencies in legal services issues.

Illinois

Goals for Advocacy in Illinois

Prior to involvement of the Collaborative, Illinois already had in place a cohesive advocacy network and a legal advocate at the National Center for Poverty Law who was active in child care policy advocacy. The Collaborative therefore focused on providing expertise and support on child care issues identified by state advocates as a high priority and likely to benefit from outside expert assistance. These issues were license-exempt care and child care for children with disabilities. The Collaborative also focused on developing a strong partnership with the National Center for Poverty Law.

In the area of license-exempt care, the primary goal was to help advance towards the related goals of increasing the reimbursement rate and improving the quality of license-exempt care.

With respect to the issue of children with disabilities, the goal of the TCCC was to work with state advocates to identify barriers to child care for children with disabilities, and to provide training and advocacy as needed to address these barriers and their causes.

Activities in Illinois

License-Exempt Care Conference. A focus of the Collaborative's work in Illinois was to help organize and facilitate a conference on the issue of license-exempt care, bringing together stakeholders representing diverse viewpoints. The Staff Attorney of the National Center for Poverty Law and others in his advocacy network had targeted this issue as one on which contention and confusion prevented state advocates from making progress, and recognized an opportunity for the Collaborative to draw on its status as an objective outsider to help promote consensus and a broader understanding. Collaborative members suggested the conference as a way to bring together various groups not usually working together face-to-face. Collaborative staff worked with the NCPL and others to plan the one-day conference in February 2002, which was attended by approximately 35 child care stakeholders including representatives of providers' associations, city and state agencies, parents, foundations, and schools. Information was presented on license-

exempt care utilization and policy in the hope of establishing a common understanding and groundwork for moving towards policy initiatives that might improve the quality of license-exempt care and increase the reimbursement rate, which is only \$9.00 per day. Among topics presented at the conference:

- Statistics on and reasons for the high utilization of license-exempt care (60% of TANF child care subsidies in the state spent on license-exempt.)
- Models for promoting quality improvement in license-exempt care.
- Research on license-exempt care in other states.
- Brainstorming of issues to be addressed in policies related to license-exempt care.

ADA Training for Nurse Consultants who Work with Day Care Providers. Nurse consultants have been funded by the Illinois State Department of Human Services to work with Resource and Referral Agencies as a resource for child care providers on public health issues. The National Center on Poverty Law identified the need for training on disability issues for these nurse consultants, as well as the opportunity to utilize expertise in disability law offered by Cary LaCheen of the TCCC. He worked with the state Department of Human Services to organize the training, which was designed and delivered by Cary LaCheen. Seventy-five nurse consultants attended and a case approach was used.

Child Care Licensing Policies that Affect Access to Child Care for Children with Disability. The TCCC has been working with the National Center on Poverty Law to identify and address aspects of state child care licensing policy and practice that are not in compliance with the Americans with Disabilities Act. Activities include analysis of current policies and practices including use of Freedom of Information Act requests to obtain information; letter writing; and arranging an upcoming meeting with representatives of the licensing division.

Impacts on Advocacy in Illinois

We interviewed seven individuals who attended the conference on license-exempt care. Reports on the conference suggested that it achieved its goal of promoting a consensus for moving forward.

- “We reached some consensus regarding what we know and a commitment on moving ahead to improve quality of license-exempt care . . . We got past the position some had of ‘why should they (license-exempt providers) get government funds if they’re not willing to be licensed?’ ”
- “It was a good beginning for getting the focus on the child on the table. I was surprised at how much data was available. We’re using the (conference information) as a springboard for working with license-exempt providers.”
- Information presented at the conference “captured people’s imagination” and “charged people up to be less critical” of license-exempt care. Licensed providers who had been resistant to any form of support “got into the spirit” of thinking of ways to fund programs to help improve license-exempt care.
- “The accomplishment was getting everyone on the same page and arriving at the same priority that we need enhancement strategies for license-exempt care.”

Interview respondents addressed the following ways in which the TCCC made a unique contribution:

- Bring an outsiders’ perspective, independence, and credibility. “Most of us here have a vested interest of one kind or another and we need an objective group to lead the discussion.”
- They brought “a new level of expertise and knowledge,” especially regarding policies of other states and pilot programs in various localities.
- Collaborative staff shared research reports on license-exempt care.

- Collaborative staff brought organizational skills and facilitation skills to the conference.

In the area of disability, the primary role of the TCCC was to provide expertise that was not available in the state. A TCCC attorney provided training and legal analysis that was otherwise unavailable.

The primary impact of advocacy capacity building in Illinois was the strengthening of an existing relationship into a more active partnership, making available additional resources, expertise, and direct involvement in advocacy directed at the State. The National Center for Poverty Law reported plans for continued partnership with the TCCC.

Policy and Administrative Impacts in Illinois

Child Care Licensing and Disability. The State Department of Children and Family Services has responded to letters from the National Center on Poverty Law and the TCCC and has agreed to meet with the two groups to discuss possible changes in licensing regulations. These include provision of training on the ADA for licensing inspectors, and introduction of requirements that applicants for a child care license have some training regarding their responsibilities under the ADA.

License-Exempt Care. Staff of the Illinois Governor's Office, and of the State Department on Human Services, are incorporating materials from the conference, including research findings presented and results of conference brainstorming sessions, into their development of a strategic plan for child care quality improvement.

Ongoing Needs and Priorities for Advocacy in Illinois

The state of Illinois is facing a large budget deficit, and funding considerations will continue to constrain policy and program options for license-exempt care. Advocates have noted that serious options for reform can be expensive due to the very large number of children in this form of care.

Texas

Goals

The State of Texas presented a sharp contrast to Illinois. Little state-based child care legal advocacy occurred in Texas prior to the Collaborative's involvement, and no legal services organizations were involved in child care. The Collaborative therefore confronted the challenge in Texas of building an advocacy infrastructure almost "from the ground up." While several Texas organizations (Texas Association of Child Care Resource and Referral Agencies and the Center for Public Policy Priorities) were involved in child care policy advocacy, these organizations could not serve as partners for the TCCC's legal work. A focus of the Collaborative's efforts in Texas, therefore, was on identifying a potential partner and developing its capacity.

TCCC staff assessed needs by analyzing the state's subsidized child care regulations and by talking with a wide variety of stakeholders in the state, including representatives of the State Bar Association and its Texas Lawyers Care Program, the Texas Legal Services Center, the Texas Association of Child Care Resource and Referral Agencies, and the Center for Public Policy Priorities. Major needs which Collaborative members identified included defining terms in TANF legislation; informing clients of their rights; conducting trainings for legal services attorneys on state and local TANF child care laws, procedures, and client's rights; and researching legal issues relating to child care funding shortages and responsibilities.

Complicating the work of the Collaborative, in addition to the lack of legal advocacy infrastructure and the large size of the state, is the state's decentralized approach to child care policy administration. Twenty-eight local Workforce Development Boards are responsible for administration and policy-making for child care subsidy programs. Policies, definitions, funding, and practices vary widely across the twenty-eight regions.

Activities in Texas

A focus of the Collaborative's efforts has been on the development of an in-state partner who would make an ongoing commitment to child care advocacy. No legal services

attorneys were working on child care issues when the Collaborative first became involved in the state, so identifying and funding a formal partner took first priority. Developing a partnership was necessary not only for sustaining advocacy in the state, but also for enabling the Collaborative to accomplish its early work of assessing needs, building coalitions, and setting an agenda. Involvement of a local partner has allowed the TCCC to have a physical presence in the state and builds on institutional knowledge of the state and its political climate.

TCCC identified the Texas Legal Services Center (TLSC) as a potential partner in 2000, and recognized the need to develop resources to support the TLSC in taking on a new and demanding legal field. Two subgrants from the TCCC initially funded a TLSC staff attorney's involvement, and TLSC was awarded an Interest on Lawyers' Trust Account grant in early 2002 to fund the partner attorney's work. TCCC developed a Memorandum of Understanding with TSLC, under which the Center is responsible for case work related to child care, legislative and administrative advocacy, and legal analysis of child care policies for TANF and low income families.

With Texas Legal Services Center and Texas Lawyers Care, the Collaborative co-sponsored a conference "Child Care Issues for Advocates: An Overview" in October 2001. This was the first statewide child care law conference in Texas, and was attended by 120. The conference was designed to stimulate greater understanding and involvement on a variety of child care issues, to introduce the Collaborative, and to build connections between legal services advocates, child care advocates, and other policy advocates. Topics discussed include the legal and financial framework of TANF and low-income child care programs, domestic violence issues for providers, child care for children with disabilities, and state policy issues affecting child care. TCCC funded staff time, printing costs of materials for participants, and travel stipends.

As another means of educating legal services attorneys about child care issues, TCCC staff conducted legal trainings at the Poverty Law Conference in 2001 and 2002. Conference organizers identified child care as a gap in issues that legal services address and invited TCCC members to participate in the Public Benefits Task Force meeting. As a result of the conference and the trainings, child care advocates report that some legal services attorneys are now prioritizing and addressing the issue of child care.

In assessing advocacy needs in Texas, Collaborative staff learned that the state had not informed families on welfare of their right to exemption from the work requirement when child care is unavailable, and how to obtain this exemption. TCCC staff created a “Know Your Rights” handbook prototype for TANF families to educate clients on the right to work requirement exemptions in TANF legislation when child care is not available, how clients can exercise their rights, and ways to appeal sanctions that violate the child care exemption. The prototype booklet is specific to TANF regulations in the Capital Area Workforce Development Board Area, which encompasses Austin.

The Texas Equal Access to Justice Foundation provided a grant to cover the costs of printing the handbooks, and Texas Lawyers Care will assist with distribution. Legal services attorneys have been recruited on a volunteer basis to adapt the booklet to detail rights for families in each of the 28 Workforce Development Board areas. So far, adaptations in seventeen areas are underway, and staff are trying to locate attorneys to adapt the handbooks for the remaining areas. Distribution efforts include posting the handbook on the Collaborative website; translating the handbooks into Spanish; and circulating the documents to state and local welfare-to-work agencies, child care providers, legal services organizations, and other stakeholders.

Impacts on Advocacy in Texas

To assess impacts on advocacy capacity-building in Texas, we analyzed data from interviews with representatives of eight Texas organizations, as well as from conference evaluation forms completed by fifty participants in the August 2001 conference.

Overall, the commitment of time and staff resources that Collaborative members dedicated to child care issues in Texas were useful in leveraging involvement of other advocates. One respondent characterized the Collaborative’s involvement as a “catalyst” that caused others in Texas to focus on the issue for the first time. Prior to TCCC’s work in the state, legal services advocates did not have the time, resources, or energy to focus on child care advocacy because they were stretched so thin.

Development of a State Advocate. The greatest impact of the TCCC has been to initiate, support, inform, and partially fund the involvement of the Texas Legal Services Center in

child care work, including both client case work and policy advocacy. Prior to the TCCC's involvement, the agency did not engage in child care work.

Putting Child Care on the "Radar Screen" of Legal Advocates. Trainings at the statewide child care conference and the Poverty Law Conferences educated legal services attorneys about child care, an issue with which they were unfamiliar. As a result of this training, several attorneys reported they now raise the issue of child care with their clients in order to identify concerns or barriers.

Legal service attorneys involved in the handbook project adaptation have learned about the law as it relates to exemptions from welfare sanctions because of child care unavailability. TCCC staff expect attorneys' knowledge to translate into increased awareness of child care concerns and greater willingness to include child care issues in the scope of their work. The handbooks list the volunteers' legal services organizations as resources for clients to contact for further information. This further incorporates child care into ongoing legal services advocacy.

Many found the conference to be comprehensive in nature and helpful to the work that they do. Anticipated uses of information from the conference included contacting Workforce Development Boards to advocate locally, and educating welfare families on their legal rights and protections. Among comments from participants about how information they gained at the conference would effect their work:

"(I will have)greater awareness of child care issues when screening legal services applicants."

"I will find out from WDB about local policies and notices to clients regarding exemption for work requirements if child care is not available."

"I plan to use the Handbook at all the Texas Workforce Centers that our agency runs in the rural counties. The information on Children with Disabilities will also be shared with our CCDS providers."

“(I will) advocate much more on behalf of my clients, with D.S. caseworkers to ensure client is receiving all services they qualify for.”

Information discussed at the conference has aided child care advocates in their subsequent work. For example, one child care advocate has used conference information in her work to define “reasonable distance” with her local Workforce Board. Additional follow-up interviews to be conducted in the evaluation’s second year will help determine whether most advocates are able to carry out their plans for making use of the knowledge gained at the conference.

Building Connections Between Child Care and Legal Services Advocates. One goal of conference planners was to bring together child care and legal services advocates, and this was accomplished. Child care advocates and legal services attorneys indicated that the exposure to issues outside their fields broadened their outlook about child care issues and they would be more likely to make an effort to work with child care/legal services offices in their areas. Child care advocates report being more willing to recognize legal services attorneys as resources for their work. The conference educated child care advocates about the rights of welfare clients, including requirements from which they could be exempted.

Increasing the Effectiveness of Advocacy Groups that Seek to Affect State and City Policies. TCCC staff brought to their work in Texas decades of experience in welfare and child care law. Texas respondents reported benefiting both from the legal expertise of the TCCC staff and the national perspective that they introduced. One respondent likened TCCC staff to “expert witnesses.” In addition to answering questions for state and local advocates involved in child care issues, TCCC staff conducted background research and policy analysis for several Texas partners prior to submitting written comments on proposed regulations.

Several state respondents found information dissemination through the listserv and the website to be helpful to their work. Having a broader context and perspective for child care advocates and awareness of issues in other parts of the country was helpful to inform advocates. Respondents less frequently referenced directly examples of policy issues and solution from other states; advocates believe that Texas legislators and administrators

have little use for policies in place outside the state. However, one state advocate further transmits TCCC information through a separate listserv for advocacy work that his organization operates, which reaches a primarily in-state audience. Several respondents that were interviewed were not aware of either the list serv or the website.

TCCC's flexibility and willingness to work with and defer to local groups has increased the ability of an outside group to work within the state.

Policy and Administrative Impacts in Texas

Greater Accountability of Government Agencies and Officials. TCCC staff and state stakeholders believed that involvement of TCCC seemed to bring about greater accountability from child care subsidy administrators and those regulating child care in Texas. Several respondents noted that while there is sometimes resistance to working with groups that are not from Texas, outside groups can play an important role in promoting accountability. TCCC staff's attention to Texas procedures and gaps in regulations creates the perception that people are tracking the agencies that set these rules and procedures. In the Collaborative's initial interactions with the regulating agency, officials seemed to lack the expectation that advocates would want to know the regulations or call attention to the agency's failure to comply by leaving standards undefined.

Definition of Terms in Welfare Legislation. As part of the initial needs assessment in Texas, TCCC staff reviewed child care regulations and standards that each local Workforce Development Board sets. In doing so, they learned that Texas had not defined key terms such as the meaning of "unavailability of child care." Collaborative staff drafted a memo with an in-state advocacy group, Center for Public Policy Priorities, that then addressed the issue with the state agency regulating child care. The new State Child Care Plan, released in Fall 2001, defined most of the previously undefined terms.

One remaining key term that was not defined is "reasonable distance" of child care from home or work. TCCC is attempting to have this term fairly defined so that the definition will work for low-income families. TCCC staff contacted a transportation consultant who provided information on state transportation issues and suggested data sources that

provide evidence of transportation barriers for families transitioning from welfare to work. The Collaborative staff sent a memo to the Workforce Development Boards that highlighted the need to define the term to assure an adequate treatment of this barrier for TANF clients. TCCC staff submitted information about the issue to Boards and suggested a definition that was thought to be workable for low-income families.

Comments on Funding Match Issues and New State Regulations. Ongoing work in Texas includes providing analyses of proposed new state child care regulations and addressing concerns of local advocates regarding inadequacy of the state's drawdown of federal funds.

Ongoing Needs and Priorities for Advocacy in Texas

Inadequate funding is identified as a major concern by nearly all involved in child care advocacy in the state and as a major obstacle to reform. The severe underfunding of the subsidized child care programs, which results in lengthy waiting lists for subsidies and low reimbursement rates-- causing quality providers to refuse to participate in subsidy system-- and the need to address this critical problem take priority among advocates. A major portion of the limited advocacy resources available in the state are dedicated to advocating for increased funding.

Devolution of the administration of the child care programs into 28 boards and areas creates huge disparity in child care policy and advocacy needs throughout Texas. In addition, Texas' large size geographically makes work in the state challenging.

Some participants at the statewide conference expressed an interest in follow-up activities, including ongoing communication from the Collaborative and development of an action agenda based on issues identified at the conference.

California

Goals

Because the Child Care Law Center is engaged in ongoing and comprehensive child care advocacy in California, the TCCC grant is a source of additional resources used to enhance and expand this work rather than to define a new line of activity. In addition, a goal of the Collaborative has been to provide additional mechanisms for sharing the CCLC's broad advocacy experience in California with other states, and for importing ideas from other states into the policy discussion in California.

Activities

In fall of 2000, the CCLC developed and disseminated recommendations for a California Master Plan for Child Care, based on input from over 100 people from numerous organizations. The recommendations called for a participatory and comprehensive planning process to coordinate the wide variety of funding streams and programs that support child care and early childhood education across the state. This policy process proved of great value, and the recommendations were incorporated into California Senate Bill SB390, sponsored by Senator Escutia in 2001.

The Collaborative sponsored a conference in July of 2001 that brought together 70 child care and legal services advocates to discuss emerging TANF and child care policy issues at the state and federal levels, and to coordinate advocacy strategies. In addition to the policy discussion, the conference incorporated training sessions on Immigrant Eligibility for Child Care Benefits, and on Problem-Solving Procedures for parents, providers, and legal advocates with complaints regarding CalWORKs child care or other subsidized child care issues.

The CCLC has presented numerous other trainings on TANF and child care issues to California provider groups and legal services organizations.

The CCLC report, "Broadening the Context," produced in September 2001, provided a detailed response to the Governor's Administrative Review/Child Care Fiscal Policy

Analysis released in 2001. The report incorporates comparative policy information from seven states, including the TCCC states. It includes extensive legal analysis and policy positions which were utilized by CCLC and many other advocacy organizations in resisting efforts to alter the structure of child care subsidies. In addition to producing the report, the CCLC staff responded to the Administrative Review through presentations in a number of venues, including the Child Development Policy Advisory Committee, which advises the Governor, and in testimony as an invited panelist at the Legislative Women's Caucus hearings. The report was also distributed via the TCCC listserv and website.

The CCLC has provided ongoing analysis, testimony, and written comments to assist the child care community in reviewing regulations issued by the California Department of Education. CDE issued new regulations on an emergency basis in 2001, providing for public input and public hearings—in which the CCLC participated—to determine the final form of the regulations. The emergency regulations were a response to a lawsuit brought by the CCLC and four other public interest organizations, charging that CDE was violating the Administrative Procedures Act, but this lawsuit was outside the scope of the TCCC and did not use TCCC funds.

Impacts on Advocacy Capacity Building

California has a cohesive advocacy network, with the CCLC bringing established leadership in a variety of areas beyond legal analysis, including broad policy analysis, outreach and coalition building, and legislative and administrative advocacy. For the evaluation, we used interviews with representatives of five California organizations that partner with the CCLC in different ways, to identify recent contributions of the CCLC to addressing child care needs under welfare reform. We broadly discussed their role in advocacy capacity building and in creating policy change. (Those interviewed did not always differentiate between CCLC legal and policy work that is part of the TCCC project and other CCLC work, since these activities and impacts are highly interrelated.)

Legal Analysis. The CCLC brings unique legal expertise to the review and development of child care policy. The CCLC reviews of state regulations and budget proposals are circulated among legal and policy advocates and carry considerable weight with those we

interviewed. “There is no one else who provides this type of legal expertise on CalWORKs child care and other systemic child care issues.”

Leadership in Creation of an Open Process. Several respondents commented that, at times in the past, state level child care policy and legislation were designed “behind closed doors.” In recent years, the CCLC has worked with others to broaden participation in the monthly forums of the Child Development Policy Advisory Committee, and in the Children’s Roundtable, which brings together 150 organizations in a variety of children’s service fields. This commitment to a participatory system was reflected in the Master Plan recommendations of the CCLC and in the process for developing the recommendations. The CCLC “synthesizes information in a way that helps people understand the system” and broadly disseminates its comments that clarify the complex issues regarding TANF and child care.

Advocacy on Behalf of Diverse Constituencies. The CCLC understands and represents multiple perspectives in the child care community, including those of parents, providers, and resource and referral agencies. In particular, CCLC have brought a focus on the rights of TANF recipients to the child care advocacy community, which in California is dominated by provider organizations. “They have been advocates for parents’ rights, especially legal aspects of parents’ rights, more than any other group. The impact of CCLC trainings has been to bring greater awareness of these issues to advocates, administrators and to legislators.” Topic-specific CCLC trainings have increased advocates’ attention to and knowledge of child care access barriers facing immigrant families and those with limited English proficiency—a significant “uptake” problem in California.

Expansion of Legal Advocacy Resources. The CCLC has developed and expanded the involvement of pro bono attorneys and legal services attorneys in child care subsidy issues. The trainings described earlier have made it possible for larger numbers of attorneys to work on child care cases involving CalWORKs recipients, immigrants, and other low income groups.

Impacts on Policy/Administration

In response to broad-based advocacy efforts and the strong positions taken by Parent Voices, the California Resource and Referral Network, and the Legislative Women's Caucus, as well as to CCLC's report "Broadening the Context," and to testimony from the Child Care Law Center and others, the Governor reversed in May of 2002 plans for reduction of "Stage Three" child care funding and other potential cuts to child care that had been included in the Governor's Administrative Review and an earlier version of the 2002-2003 budget. The CCLC report was drawn on extensively in arguments for restoration of funds. In addition to CCLC's work in helping to prevent the implementation of decisions that would have had a devastating effect on low-income families, CCLC's advocacy expanded the parameters of the debate. The Governor's Review had focused on differing access to subsidies for TANF-related and non-TANF families. CCLC identified several other important inequities in California, including unequal access for: children with disabilities; families with limited English proficiency; families with infants and toddlers; parents working non-standard hours; and unequal access based on geography, with especially limited supply of care in rural areas.

In response to advocacy and testimony by the CCLC described above, the California Department of Education has shown an improved understanding of its legal responsibility to issue clear regulations and to seek public input; has allowed for increased participation in a regulatory comment process by advocates; and has improved its final regulations—for example, by removing an earlier policy that allowed child care payment agencies to restrict the use of license-exempt care if they felt that it was injurious to the child, without appropriate guidance on the terms and means of this restriction.

Both through direct advocacy and through technical assistance to other organizations, the CCLC has brought increased public scrutiny of child care legislation and administration, and more informed responses on the part of the Legislative Women's Caucus, agency officials and the Governor's office.

4. Cross-State Learning

The Collaborative has the potential to inform and guide state advocacy in many states beyond those in which it works “on the ground.” In addition to its state-based work, the TCCC has conducted and disseminated issue-based research, writing, and advocacy tools that are designed to be useful to advocates across states. TCCC staff have maintained a listserv for 160 advocates, and have delivered trainings and presentations regarding state advocacy work at national conferences including those of the National Association for the Education of Young Children and the National Legal Aid and Defender Association. The project maintains a website that includes legal rulings, testimony from hearings, and fact sheets on parents’ rights. Most of these materials are specific to the states in which the Collaborative is working, but the Collaborative recognizes their possible usefulness in other states as models to be adapted. The website also includes links to articles and reports that are national in scope. Among these are articles that provide legal and practical suggestions for advocacy strategies in the areas of disability, sanctions protections/due process, and uptake/access.

Collaborative experiences offer the opportunity for building knowledge and lessons about effective advocacy across states. Although devolution limits the direct transfer of strategies and materials across states, the Collaborative’s experiences in advocacy capacity-building in varying state environments can provide guidance for future efforts. In addition, it is helpful to identify the tools and strategies developed by the Collaborative to address specific issue areas, and to associate them with preliminary results in informing or impacting policy.

Issue-Based Strategies and Tools

Figure 3 presents highlights of strategies, accomplishments, and barriers with respect to key issues on which the TCCC has worked. The TCCC has had impacts on each of these problems which could be replicated elsewhere.

Figure 3. Overview of TCCC Work by Issue

Issue	Specific Goals	Activities/ Strategies	Accomplishments (With Other Advocates)	Barriers (Selected)
License-Exempt Care	<ul style="list-style-type: none"> • Improve quality • Improve reimbursement rates • Understand applications of federal labor law. 	<ul style="list-style-type: none"> • Within-state consensus-building • Share cross-state policy info • Legal research on employment rights of license-exempt providers 	<ul style="list-style-type: none"> • Illinois conference, increased consensus & knowledge with report to follow • More quality initiatives • Legal Memoranda (CA & National on payment issues) 	<ul style="list-style-type: none"> • Differences of opinion about license-exempt care (or about prioritization) • Lack of funding
Child Care Rights/ Due Process	<ul style="list-style-type: none"> • Increase consumer knowledge • Increase knowledge of legal services attorneys • Counties issue clear information regarding clients' rights 	<ul style="list-style-type: none"> • Training of legal services advocates, clients, child care advocates • Admin advocacy • Info dissemination, writing 	<ul style="list-style-type: none"> • Participants' assessments of training reflect increased knowledge • Production & dissemination of Know Your Rights Manuals/Flyers in Texas and NY 	<ul style="list-style-type: none"> • Devolution of responsibilities • Legal services advocates have limited time/resources
Uptake/ Accessibility of Subsidies	<ul style="list-style-type: none"> • Reduce fragmentation in subsidy systems • Address parental fee problems • Draw down Federal funds in Texas 	<ul style="list-style-type: none"> • Comments/ analysis of regulations • Admin & legis advocacy • Training for legal services advocates 	<ul style="list-style-type: none"> • Updating of New York copayment schedule • Introduction of automated payment system in New York • Restoration of funding in CA budget 	<ul style="list-style-type: none"> • Funding inadequacy
Disability	<ul style="list-style-type: none"> • Increase ADA compliance of providers, r & rs, licensing, etc. • Increase information and adherence regarding rights to work exemption of TANF recipients who have children w/disabilities • Increase implementation of subsidy supplements for providers serving children with disabilities (NY) 	<ul style="list-style-type: none"> • Training for various practitioners • Admin advocacy • Individual representation • Legal analysis • Articles & reports 	<ul style="list-style-type: none"> • NY State updating of directives on supplemental rates • Changes in NYC HRA practice regarding exemption • Upcoming meeting in Illinois regarding licensing practices 	<ul style="list-style-type: none"> • Sources of child care problems are multiple, so strategies can be difficult to pinpoint • Competes with other priorities.

Due Process/Sanctions Issues Concerns about lack of clear information about rights of TANF recipients, the child care exemption, and fair hearing rights were prevalent across states and local areas and lent themselves well to the TCCC strategies of training (for legal service advocates) and information distribution. Although the work required to adapt information to reflect state and local regulations can be time-consuming (especially in a highly devolved state such as Texas) TCCC actions suggest that a number of basic strategies of training and information dissemination were transferable.

License-Exempt Care. The salience of this issue varied across states, but the TCCC found that this issue warranted general research, both in the areas of policy development (relating to quality and funding enhancement) and of federal employment rights law. Because of differences of opinion in the child care community concerning the quality of this type of care, the TCCC's role as a researcher, objective outsider, and facilitator, offer considerable "value added" to in-state advocacy.

Uptake Issues. Addressing this issue, which can encompass a variety of barriers to child care access, has entailed a good deal of research on specific state and local regulations and practices. The TCCC has been able to offer considerable expertise, for example in regulations governing transitional child care for TANF recipients, that has been beneficial across states. A common barrier to uptake is the complexity and lack of clear public information for clients regarding application for subsidies and navigation of the bureaucracy. TCCC staff have effectively advocated for clarification of procedures and rules, as well as for updating of outdated copayment schedules.

Disability. Child care providers, government agencies, and advocates alike are often unaware of what they are legally required to do under the Americans with Disabilities Act, as well as additional steps they can take to support children with disabilities. The TCCC has contributed expertise in the Americans with Disabilities Act, has offered training to a variety of advocates and practitioners, and has worked with state advocates to review state regulations that have a bearing on disability accommodation. On its website, the TCCC has posted an article identifying a variety of strategies that advocates can use in this area.

Partnership Strategies

Critical to the TCCC's advocacy capacity-building goals has been partnership development, and key learning has occurred in this area.

The importance of resource development for new partners. Staff of TCCC and partnering organizations alike emphasized that state and local legal service organizations simply did not have staff time to take on the field of child care without additional funding. The complexity of child care law, combined with the demands of their existing workload in the more traditional areas of public service law (such as housing, food stamps, and cash benefits), created obstacles to adding this area of work. Particularly in Texas, absence of in-state legal expertise in this field (even though policy expertise did exist in-state) made resource development crucial.

Building from the ground up versus working with an established advocate. The TCCC faced sharply contrasting challenges and rewards in the states of Illinois and Texas. In Illinois, a cohesive advocacy network and an in-state partner with legal expertise already engaged in child care advocacy, provided for an easier process of needs assessment and focused advocacy. In Texas, the lack of this state infrastructure made the TCCC's work much more difficult and time-consuming, but most staff with whom we spoke reported that the TCCC impact in Texas was correspondingly greater than in Illinois, and that the work was therefore equally or even more worthwhile. In Texas, the TCCC was able to use its full set of tools to help set the agenda as well as to pursue specific issues identified by others.

Figure 4. TCCC Partnership Strategies by Type of State

State	Advocacy Characteristics	TANF System	Partnership Strategies
California	Strong Network	Decentralized	Ongoing coalition-building, expert assistance, research & consultation
Illinois	Strong Network	More Centralized	Expert assistance, research & consultation, facilitation
Texas	Fragmented/Little Child Care Advocacy	Decentralized	Resource development, agenda development, coalition-building
New York	Bifurcated	Decentralized	Expert assistance, resource development, coalition-building

5. Collaborative Structure, Process, and Planning

The TANF Child Care Collaborative has required the creation of a new organizational structure that effectively and efficiently combines resources of three existing organizations. This is a challenging undertaking for any organizational collaboration, because the rules of the new structure require the individuals involved to meet somewhat different expectations than those they are accustomed to (and simultaneously working under) in their home organizations. How to create decision rules for work assignments, work plans, and control over products, are among the issues the TCCC has confronted. The TCCC has also struggled with defining a work structure that reflects the right balance between its knowledge-building goals and the more practical demands of its state-based work. The Collaborative therefore has experimented with both issue-based and state-based work groups.

The blending of different organizational philosophies, cultures, and areas of expertise represents the great benefit of working as a Collaborative, but also presents challenges to a smooth working relationship. TCCC staff reported that the “synergy” created in bringing three different organizations together enhanced the quality as well as the quantity of their work and made it possible for them to take on new and more demanding types of work than they could have done within their own organizations. At the same time, working together entailed significant costs in communication, coordination, and management. Differences in organizational philosophy sometimes exacerbated the difficulties of decision-making and strategizing.

Organizational Differences

Among the organizational differences that represented both benefits and challenges of the Collaborative, were:

Differences in strategies. The organizations differ in the degree to which they rely on traditional legal approaches to analysis and advocacy. The Child Care Law Center relies

somewhat less on litigation than the other organizations, and makes greater use of consensus-building approaches and broad policy analyses beyond legal analysis. The Collaboration was able to build on these different organizational strengths, within any given state combining the conference planning and facilitation skills of some staff with the legal analysis skills and adversarial approaches of others to make progress towards different goals and issues. In addition, staff acknowledged learning new strategies from staff of other organizations, and in this way enhancing their own mix of advocacy tools. However, differences about strategy on some occasions made decision processes more time-consuming, and could cause tensions regarding fair and appropriate allocation of staff time.

Differences in Constituencies. The Child Care Law Center has worked with and represented a variety of child care constituencies, including providers and resource and referral agencies as well as parents. The Welfare Law Center has as its primary constituency low income clients and communities and organizations that work on their behalf. The NOW Legal Defense and Education Fund brings a women's rights perspective and experience with women's and welfare rights organizations. Once again, Collaborative staff viewed these differences as largely beneficial to the Collaborative's work, creating the capacity to reach a diverse network. But tensions might arise; for example, a providers' rights perspective sometimes clashed with a clients' rights perspective, and Collaborative staff had to take the time to work through these differences.

Differences in Partners. The primary partners of the Collaborative to date have been legal service organizations. Collaborative staff have expressed some differences of opinion regarding what type of organization the Collaborative should partner with in any new state in which it decides to work. These differences reflect the organizational philosophies and constituencies discussed above.

Collaborative Structure

The Collaborative experienced some difficulties during its first year due to lack of a designated leadership group for decision-making and oversight of substantive work. A management committee, composed of executive directors of the three organizations, did meet regularly from the project's inception to discuss resource coordination and project development. But operational decisions and work planning were determined by the TCCC staff as a whole, resulting in cumbersome decision-making processes. In mid 2001, the Collaborative introduced a Steering Committee, composed of one senior attorney from each of the three organizations. The Steering Committee has been stable and has met monthly, communicating regularly with other TCCC staff via meeting notes and occasional full staff conference calls and meetings. Staff reported that they were pleased with the Steering Committee, which increased the efficiency of operations while still allowing for input from other staff.

The Collaborative also created a subcommittee structure that included both issue-based committees and state-based work groups. Over time, the state-based groups continued to be active, particularly in Illinois and Texas, while the issue-based committees other than the license-exempt care group did not work together regularly. Most staff found that the demands and importance of state-based work, particularly the relationship-building with partners in each state and the need to know state-specific law and policy, made a more compelling case for committee work than issue-based research.

Collaborative Planning and State Selection

The Collaborative has been engaged in several months of planning to select a new state. The Steering Committee has taken responsibility for this decision, working with advice and assistance from the National Advisory Committee, whose members have knowledge and organizational connections in a large number of states. Shortly before the completion of this report, a final decision was made to work in the state of Alabama.

Collaborative staff found work in Texas, in particular, to be more difficult and demanding than expected, and are seeking to be well prepared when moving into a new

state, particularly since they will be developing a relationship with a new organization without a prior relationship with Collaborative staff. The Steering Committee seeks to identify some key issues for advocacy prior to beginning actual work in the state. The Committee has been conducting research on Alabama, seeking to gain a picture of the child care subsidy system and the advocacy infrastructure.

Among considerations in the research and preparation process are:

- Identifying a state where the Collaborative can have a significant impact; e.g. where due process/sanctions and/or uptake issues need to be addressed and Collaborative expertise can be maximized.
- Identifying a state with a more “state-based” approach to advocacy than Texas. Although some devolution to the county level is expected, extreme decentralization such as that experienced in Texas greatly complicates the work of the Collaborative and requires much more time in the state in order to have an impact.
- Identifying an appropriate partner who is interested and capable of developing child care advocacy capacity. This is probably the key consideration for the Collaborative and presents the greatest challenge, in part because there are some differences among the three organizations in their levels of comfort in working with advocacy organizations other than legal service organizations.

The Collaborative will also be determining how to re-allocate staff resources with the addition of a new state, while maintaining some continuing involvement in the four current project states. Staff have found it more difficult than expected to define limits on their work in Illinois and Texas, particularly as new state regulations under TANF reauthorization will be calling for their review and attention.

6. Synthesis of Lessons Learned

This chapter highlights the evaluation's findings with respect to key accomplishments of the TCCC and key difficulties it has encountered, as well as some considerations for ongoing endeavors to support state advocacy. Our overall assessment is that the benefits of the Collaborative significantly outweigh the costs. Fine-tuning of the Collaborative structure, or considerations of alternatives to a formal collaboration, might be undertaken to help reduce costs and maximize benefits. We propose a beginning framework for guiding the work in each state.

Key Accomplishments

TANF Recipients' Legal Rights Related to Child Care. A major accomplishment of the Collaborative has been promoting awareness of these rights among legal service advocates, TANF recipients, and government officials. The Collaborative is well positioned to work effectively on this issue in additional states, using the training, administrative advocacy, and handbook dissemination strategies it has demonstrated so far. Should work requirements become even stricter under TANF reauthorization, this area of work will become even more important.

Advocacy Capacity Building through Sharing and Enabling Strategies. Many of the skills and tools of the Collaborative staff in legal and policy analysis and advocacy have been imparted to state-based advocacy organizations in the four states. This capacity-building occurs not only through formal training but also through working together on administrative and legislative advocacy, disseminating model testimony and comments on regulations. One TCCC attorney called this a process of "sharing and enabling." State-based organizations with whom we spoke confirmed that they developed new advocacy tools as a result of working with the Collaborative.

Placing Key Child Care Policy Problems on the State Agenda. The TCCC worked with state-based advocates to identify problems with subsidized child care systems, to bring

these problems to the attention of state and local officials, and to create momentum for change. State agencies are facing accountability on some of these issues for the first time. Other issues, such as license-exempt care in Illinois, had been acknowledged previously, but the TCCC helped move a stalemated policy discussion to a stage of active policy development.

Consensus Building. The experiences of the Collaborative organizations in working on behalf of multiple child care constituencies equipped the TCCC staff to bring together diverse groups of advocates in conferences and to approach child care policy from a broad perspective. TCCC staff brought facilitation skills that effectively served to move advocates beyond differences and establish a common groundwork for an advocacy agenda.

Cross-State Research. Collaborative members were able to use their knowledge of policy in multiple states, as well as their research on federal law, to inform their work within any one state. This broad context lent credibility to their positions and sometimes prompted action among advocates or officials who worried about “not measuring up” to what other states were doing.

Key Challenges

The TCCC has faced a number of challenges, including:

Scarce State Advocacy Resources. Even with the assistance of the TCCC, advocacy work in states requires a significant time investment from state-based groups, and these groups must be capable of sustaining the work if the Collaborative is to have a lasting impact. State based legal advocacy groups already have a demanding workload and limited staffing. The task of resource development for these organizations was added to training and other capacity building activities of the Collaborative.

Complexity Created by Devolution. Devolution has limited the cross-state transferability of legal and policy analyses, and has greatly intensified the level of work needed within each state to understand that state’s TANF/child care system and how to

best advocate for improvements. The situation is even more complicated in states such as Texas with child systems that are highly devolved to the county or regional level.

Costs of Collaboration. Creating and managing a formal collaboration composed of three existing organizations entails considerable costs in management, communication, and decision-making time. These costs need to be weighed against the benefits of blending the three organizations' areas of expertise and constituency networks.

Implications for the TCCC and Other National -State Advocacy Partnerships

The experience of the TCCC can be instructive for development of future partnerships between national and state-based advocacy organizations. For example, the Collaborative experience suggests a number of steps that need to be undertaken in the process of developing such partnerships.

1. **Selecting states to work in based on well-developed criteria.** In what types of states are the national advocates likely to have an impact? As discussed earlier, the TCCC has already begun to develop these criteria based on its experience to date.
2. **Identify and develop at least one key partner organization.** Again, the TCCC has developed some criteria for effective partnerships and types of partnering organizations, but this could be made more explicit. The national advocate works closely with the state partner to assess child care barriers, strategies for advocacy, and types of support needed at the state level. The TCCC's experience has made clear that grants are needed for state-based organizations in order to support the added work of state-based child care advocacy.
3. **Develop and communicate a clear scope of work within the state.** How broad or narrow is the work of the national organization? Will the national organization take on broad policy and funding advocacy, or focus more narrowly on selected legal or technical issues? What is the time frame for work within the state?

4. **Sharing advocacy strategies across states.** The issues on which the TCCC has developed expertise and experience—due process, child care uptake, disability, and license-exempt care—are issues that research shows to be of pressing concern across large numbers of states, and may become even more pressing under TANF reauthorization rules. The TCCC has used its website and national conference presentations to begin to share research and advocacy strategies for addressing these issues. As the TCCC gains experience in additional states, this cross-state knowledge-building will become even more important and valuable. Since the time required by intensive work “on the ground” competes with time for this type of knowledge-building activity, additional resources may be needed.

In the coming year, the evaluator will continue to work with the TCCC to document the elements of effective advocacy partnerships and the processes by which these partnerships produce change at the state level.