



## Utah Must Remove All Barriers To Access To Child-Care Subsidies for Mixed-Status Families

Utah offers a [child-care subsidy](#) to working families earning less than 85% of the state median income using [Child Care and Development Block Grant](#) funds provided by the Federal government. Historically Utah has not allowed mixed-status families (those where the children are U.S. citizens or have legal resident status, but the parents are undocumented) to access this subsidy. Denying these Utahn children access to this critical early care and development resource hurts some of our most vulnerable children and misses an opportunity to invest early in their development, when the return on investment is highest. English-language learners, students of color, and low-income students score disproportionately lower than their peers on [kindergarten readiness assessments](#). In order for all Utahns to have an equal opportunity to prosper and equal access to education, as called for in the [Utah Compact on Racial Equity, Diversity, and Inclusion](#), Utah must immediately remove any barriers to access to the child-care subsidy.

Federal law is clear that the child is the primary beneficiary of this subsidy and therefore receipt of the subsidy can not be based on the immigration status of the parents or require a social security number. [45 CFR 98.20\(c\)](#); [81 Fed. Reg. 67438](#), 67461 (9/30/2016); [Program Instruction ACYF-PI-CC-00-04](#); see also [ACYF-PI-CC-98-08](#). In fact, Utah is “**prohibited from considering** the parent’s citizenship and immigration status.” 81 Fed. Reg. 67438 at 67461 (emphasis added). Despite this clear federal guidance, Utah’s barriers to access take many forms, but several jump out in particular:

- Utah’s [Child Care and Development Fund plan](#) §3.1.2 defines “working” to include a requirement that “wages are obtained legally.”
- Utah Administrative Code [R986-700-702](#) improperly treats the parent as the client instead of the child and bases eligibility on immigration status: “CC is provided to support employment for **U.S. citizens and qualified aliens authorized to work in the U.S . . .**”
- [DWS Policy 215-2A](#) specifically excludes parents from applying for child-care subsidies if the parents can not prove legal residency or work-authorized status. Parents with DACA status are also ineligible. [DWS Policy 215-3](#).

Utah must remove all barriers to access and invest in its youngest Utahns, particularly the most vulnerable.