

CHILD CARE IS A RACIAL JUSTICE ISSUE



CHILD CARE LAW CENTER 
2020 • annual report

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From Our Executive Director & Board Chair

Dear Friends,

You support the Child Care Law Center because you believe that everyone in our community should be able to work, live and raise their children with dignity. Thank you for your conviction and commitment.

Child care is deeply connected to racial injustice — beginning with the enslaved Black women who were forced to care for their enslavers' children, through Reformation, Jim Crow laws, the New Deal, and right up to the welfare laws that govern our modern-day child care policies. As a result, Black children and children of color are often denied equal rights to education and Black women and women of color are denied fair pay and equal opportunity.

Child Care Law Center attorneys work to end policies rooted in oppression — such as the rules that prevent families with a child care subsidy from building wealth. In the pandemic, we are fighting for child care providers to get paid fairly. For forty years, we have worked to make child care more inclusive, and just.

When you stand with us so that we can apply a race-equity lens to child care policies, you are not being silent.

Thank you.



Kim Kruckel,
Executive Director



Rachel A. Boyce,
Chair, Board of Directors



Kim and Rachel meet near Lake Merritt during the pandemic to discuss community education strategies in 2021.

USING THE LAW TO CHANGE BIASED CHILD CARE POLICY



Francis Brown with three of her children. From left to right: Samuel, 7, Samson, 5, Francis, and Francesca, 2.

GIVE ME RESULTS

“Don’t give me excuses. Give me results.” This is the mantra Francis Brown brought to the Child Care Law Center, first as a client and then as an advocate. It’s the mantra she lives by.

In 2017, Francis was on the brink of losing her child care. Francis had received a modest, merit-based raise. But it meant she would lose her subsidy. State salary caps were out-of-date and based on racist welfare regulations. “I was feeling defeated,” Francis says, “like every step I took to earn a raise or better myself meant I would lose my affordable child care.”

Francis won her case with representation from Child Care Law Center. She went on to fight alongside dozens of other parents like her from Parent Voices to change eligibility guidelines. “My thing is always bridging the gap,” Francis says, “when is that [policy] gap going to be bridged from the state capitol level down to the ground floor?” Now families receiving a child care subsidy are able to earn more money and still keep the support that makes career gains and prosperity possible.

RACISM IMPACTS FAMILIES EVERY DAY

Francis is proud of her African-American identity. It also comes with everyday misconceptions. “The automatic assumption is that you’re on welfare. No,”

says. Francis was often considered an exceptional African American by her employers, an anomaly rather than the rule. Her kids face racism regularly, and at a previous child care center, Francis’ now-kindergartener Samson faced such severe discrimination that an employee was fired.

This year is the second time Francis has worked directly for a woman of color. It’s been wonderful. “Everybody is working on such a high level, and that pushes me to a higher level,” Francis says. Still, Francis has certain self-protective tools she’s refined since she was 17 years old. She ideally wants people to get to know her work and personality before seeing the color of her skin. In the pandemic, she was able to ask colleagues for phone meetings before doing video conferences. “Teleworking has its challenges and its protections when you’re working as a minority,” Francis says.

With her kids, Francis sees how racism and equity impact family life. On top of pandemic stresses, the family recently dealt with the trauma of three armed police officers coming to their door. Francis’ husband had been loading tools in his truck before leaving for work. A neighbor—a young white woman—called in a noise complaint. A few hours later, officers were at the door. “The officers’ hands were on their waists when they came, looking like they’re about to draw their guns. The person who called didn’t understand we could get shot because of the color of our skin.”

MANAGING WORK AND CHILD CARE IN PANDEMIC

During the coronavirus pandemic, Francis is teleworking full-time and managing her second-grader and kindergartener’s school from home while the toddler attends day care. “Monday through Friday is just chaotic,” Francis says. She gets the kids up and dressed in their

uniforms at 6:00 a.m. They drop Francesca, the youngest, at day care at 7:00 a.m., then school starts at 8:00 a.m. About half of school time feels like technology troubleshooting, especially with Francis’ kindergartener, Samson. At five years old, it’s hard for him to manage the video links and assignments.

This week, Francesca is sick, and later Francis finds out one of the day care providers has a family member with coronavirus. This means additional anxiety. Francis has asked the elementary school if they can offer a more flexible curriculum option for parents who are working full-time. “My struggle with distance learning is that parents are feeling like their efforts aren’t being valued,” she says. “I’m giving 1000% effort.”

TOWARD CHILD CARE EQUITY

“Never once when I was dealing with the Child Care Law Center was I made to feel like my level of care was based on the color of my skin. They made me feel like I was a person with a family who had a need, and that’s how it should be,” Francis says.

Francis wants other African-American families to feel empowered and share their stories in the pandemic and beyond. “Everybody’s gotta get bold. With John Lewis’ passing, we have to remember that the Good Trouble is true. It’s trouble if I stand up to the police, if I speak to my neighbor, if I bring up issues to the teacher. It’s trouble because of the way society is set up right now. It’s seen as me starting the problem, but the problem is already there,” Francis says. “[E]verybody’s contribution will play a role, and it matters at that child care level in terms of equality, policy, and structure.”

remembering **OUR HISTORY**
as we build **OUR FUTURE**
SEEKING JUSTICE

IN AMERICA

**AT THE CHILD CARE
LAW CENTER**

1970s

The civil rights movement grows. Lawyers get creative using the law to fight for people's rights. More and more women enter the paid workforce.

Child care activists team up with the San Francisco Lawyers' Committee for Civil Rights to press for fair child care laws. Out of this momentum, the **Child Care Law Center is born.**



1980s

President Reagan vilifies families who qualify for welfare, refusing to see them as hard-working. Leaders create layers of punitive restrictions on government aid. Child care assistance becomes part of welfare programs, as a way to oversee women, to make sure they work.

We draft the Family Day Care Legal Handbook. This new tool empowers child care providers to know their rights as business owners. Our innovative problem-solving includes turning historically racist zoning policy into a tool for the expansion of child care.



1990s

States write their own child care funding rules, assuming that people in poverty want to defraud the government.

President Clinton vows to “end welfare as we know it.”

Disability rights advocates pass the groundbreaking Americans with Disabilities Act (ADA).

In *Miller v. Carlson* (1991) and *Rose v. Eastin* (2000) we litigate to win fair rules for families as the state implements racist welfare laws.

We work hand-in-hand with child care providers to include all children, regardless of mental or physical needs.



2000s



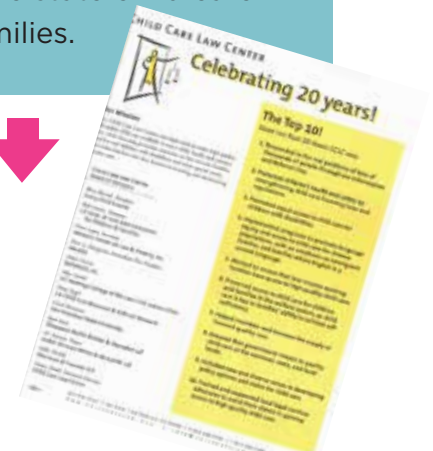
The Great Recession cuts funding to child care programs. When crisis hits, child care is one of the first things to get cut, even though it is essential to families.

Our trainings in child care law help legal-aid lawyers open the door for people to get jobs, housing and opportunities.

We fight to make state child care rules fair for families.



2010s



Twenty years after President Clinton passed welfare reform, fewer families than ever receive child care assistance despite a growing economy and growing needs.

In *Parent Voices Oakland v. O’Connell* (2010) we bring legal action to reinstate child care for 55,000 families.

We rewrite the California Child Day Care Facilities Act to end a patchwork of discriminatory local zoning restrictions.

We reform biased child care eligibility laws to support economic advancement for families.



2020s

➔ JUSTICE FOR CHILDREN, FAMILIES AND PROVIDERS ←

The global coronavirus pandemic hits.

The murder of George Floyd by police is a tipping point for America to reckon with racism across all our systems, including child care.

We create pandemic resources and FAQs. Thousands of providers and families use our tools to navigate child care, financial uncertainty and health risks.

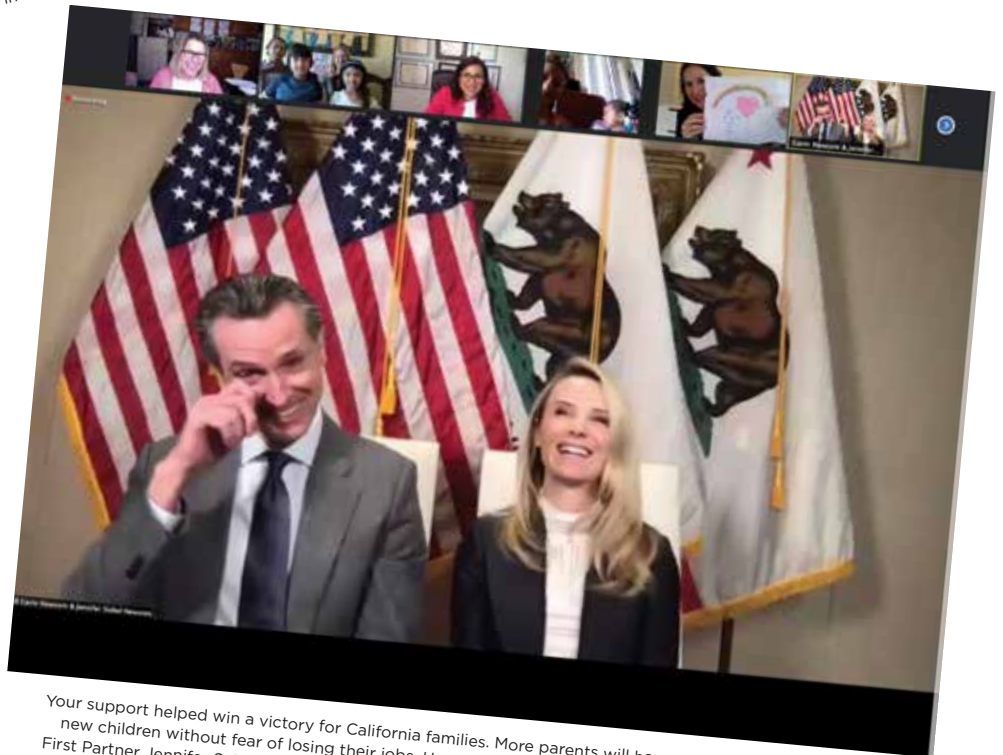
We continue our work to dismantle systemic injustices based on race, economics, gender and disability that are embedded in the child care system.



The Child Care Law Center staff in the summer of 2019. We deliver laws that make child care more inclusive and just.



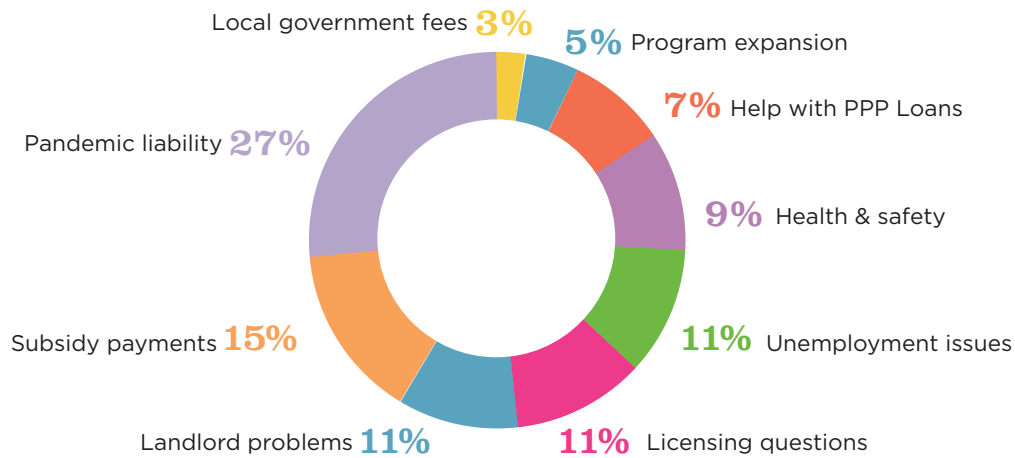
A child plays at Li'l Nancy's Primary Schoolhouse in Oakland.



Your support helped win a victory for California families. More parents will have critical paid leave to bond with new children without fear of losing their jobs. Here, advocates celebrate with Governor Gavin Newsom and First Partner Jennifer Seibel Newsom. Left to right: Child Care Law Center staff and fellow advocates, including Sharon Terman from Legal Aid at Work.

LEGAL SUPPORT FOR CHILD CARE PROVIDERS IN PANDEMIC

Your support helped us quickly add capacity and create pandemic FAQs and resources used thousands of times.



Pandemic Child Care Legal Questions



If a family suspects their child was infected with coronavirus from my child care, can they sue me?

Is it discrimination if the rental agent tells me I have sufficient income, but they won't rent to me because I am a child care provider?

Am I required to open up my child care if I am worried about my own health?

Parents are asking me for their money back since we had to close on March 17, but I still had to pay my staff. What do I do?



Providers in Crisis: Frog Hollow

Frog Hollow Nursery School in Berkeley closed its doors due to the coronavirus on March 16, 2020. Owner Ellen Dressman is not alone. She's one of hundreds of impacted family child care providers we've worked with this year.

"I started Frog Hollow in my thirties and it grew while studying weekends to earn my M.A. In my forties, I earned my Child Development Program Director's permit. In my fifties, I led and won a family child care movement to contest a city of Berkeley [discriminatory policy]. In 2015, as I turned 60, I began to make

a retirement plan that would allow me to step back while allowing Frog Hollow to continue to thrive.

And then the pandemic struck...

In the past four months, I have gone from feeling like a smart business woman to somewhat of a failure. I know deep down this is not true. The true story of Frog Hollow is in all the years we were open, not its closure. So many years of quality child care, so many happy parents and thriving children who have learned healthy social skills and made lifelong friends. We truly are a success story, but it just doesn't feel like it."

BOARD MEMBER FIGHTS FOR EQUAL OPPORTUNITY



Civil rights attorney Lisa Holder joined the Child Care Law Center board in 2015. For the past several years, Lisa and other civil rights leaders have focused on reinstating affirmative action. “We can’t right the wrongs of the past until women and people of color get equal pay, equal education and equal work opportunities. We need a constitutional amendment that will overturn the ban on affirmative action,” Lisa says.

Prop 16, on the California ballot this past election, would have given women and people of color an equal shot at public jobs, contracts and education. Although Prop 16 did not pass, it created a robust discussion about racial justice, and civil rights leaders like Lisa will continue the fight to reinstate affirmative action and make equal opportunity a reality.

POWERHOUSE PARTNERSHIP: CHILD CARE LAW CENTER + PUBLIC COUNSEL

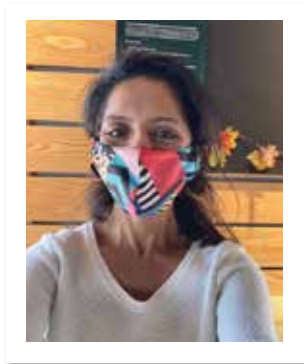
Laurie Furstenfeld

Co-Director of Legal Advocacy
Child Care Law Center



Ritu Mahajan

Supervising Senior Staff Attorney
Public Counsel



Child Care Law Center and Public Counsel partner to magnify our collective impact. Senior staff attorneys Laurie Furstenfeld of Child Care Law Center and Ritu Mahajan of Public Counsel are seeing that, in the pandemic, providers need legal support to win justice more than ever.

“Laurie and I inform each other’s work,” Ritu says. “Child Care Law Center works on policy and legislation. We learn from that. Similarly, I tell Laurie what we’re seeing and what challenges providers are facing.” Laurie agrees. “When Ritu tells me what’s going on, that gives me and my colleagues ideas about how we can rewrite the law.”

In 2019, Child Care Law Center passed legislation to streamline licensing and get rid of unnecessary approvals and fees. Now Child Care Law Center and Public Counsel are working together so landlords, cities and counties know the law and family providers keep their housing. We’ve also made sure providers have personal protective equipment and unemployment insurance. Our partnership is about fighting to achieve equity for both providers and families.

“Ultimately, in our work as attorneys,” Laurie says, “we don’t want to just change unjust laws, we want to eradicate racist policies and build new, antiracist policies.”

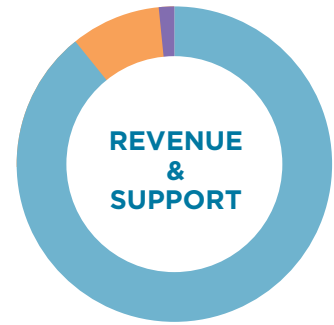
Read the full interview with Ritu and Laurie at childcarelaw.org/updates

2019 - 2020

REVENUE & SUPPORT

GRANTS	\$961,981
CONTRIBUTIONS	\$ 98,802
CONTRACTS & OTHER INCOME	\$ 11,620

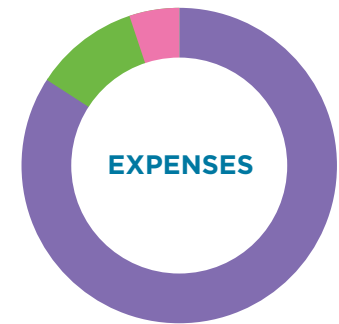
TOTAL \$1,072,403



EXPENSES

PROGRAM SERVICES	\$794,123
MANAGEMENT	\$130,289
FUNDRAISING	\$ 44,328

TOTAL \$968,740



CHANGE IN NET ASSETS Beginning of year	\$644,121
CHANGE IN NET ASSETS End of year	\$747,784

CHANGE IN NET ASSETS \$103,663

2018 - 2019

REVENUE & SUPPORT

GRANTS	\$875,335
CONTRIBUTIONS	\$ 98,276
CONTRACTS & OTHER INCOME	\$ 7,206

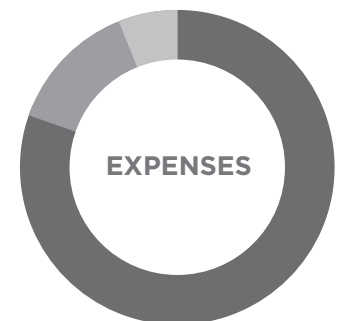
TOTAL \$980,817



EXPENSES

PROGRAM SERVICES	\$527,019
MANAGEMENT	\$ 97,236
FUNDRAISING	\$ 27,310

TOTAL \$651,565



CHANGE IN NET ASSETS Beginning of year	\$314,869
CHANGE IN NET ASSETS End of year	\$644,121

CHANGE IN NET ASSETS \$329,252

THANK YOU TO OUR SUPPORTERS

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Roberto Viramontes
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Step One School
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California Family Child Care Network
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Center for Law and Social Policy (CLASP)
Child Care Providers Union - SEIU/UDW
Dream Alliance
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Legal Aid Association of California
National Women's Law Center
Parent Voices
Public Counsel
San Francisco Inclusion Network
Stronger California Network

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- Join our board of directors or task force
- Read more great stories at childcarelaw.org/updates

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WE EDUCATE, ADVOCATE, AND LITIGATE TO MAKE CHILD CARE A CIVIL RIGHT.



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ability to create justice and
opportunity for children,
families and providers.



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