

August 25, 2025

United States Department of Education
Office of Postsecondary Education
400 Maryland Avenue SW
Washington, D.C. 20202

Comment on FR Doc # 2025-14333/Docket ID ED-2025-OPE-0151

Dear Secretary McMahon,

I write to you from First Focus on Children regarding the negotiated rulemaking process you are undergoing to develop regulations to implement the recent statutory changes made to the Federal student financial assistance programs authorized under Title IV of the Higher Education Act (HEA) of 1965 through Pub. L. 119-2. I urge you to recognize the negative impact these regulations will have on the early learning sector and ask you to ensure these regulations will not limit early childhood educators' access to early childhood degrees.

First Focus on Children is a national bipartisan advocacy organization dedicated to making children the priority in federal policy and budget decisions. First Focus on Children is deeply committed to supporting early learning programs and policies and the children and families they serve.

Early learning has immense benefits for young children, their families, and early educators. The opportunities children have during their early years play an essential role in reducing racial inequalities and directly impact their long-term health, well-being, and economic outcomes.¹ The evidence supporting high-quality early childhood investment is among the strongest in the social sciences. Investing in children during their most formative years is not only one of the soundest financial decisions we can make as a country, but it also ensures that children across the country receive the support they need to thrive.² Child care and other early learning programs also provide families with the opportunity to work or study; support an early learning workforce; and supply crucial infrastructure for the United States' economy.

¹ Center on the Developing Child (2007). The Science of Early Childhood Development (InBrief). Retrieved from ww.developingchild.harvard.edu

² First Focus on Children. "Issue Brief: Research Confirms That Early Learning Investments Increase Benefits to Children, Lower Costs to Taxpayers." June 2025. <https://firstfocus.org/wp-content/uploads/2025/06/Early-Learning-Investments-Benefit-Kids-and-Taxpayers.pdf>

An early learning and child care crisis already exists in this country, with child care being least affordable and accessible for Black, Hispanic, and low-income working parents.³ In 2024, the cost to a family of child care for two children in a center was more than annual mortgage payments in 45 states and the District of Columbia. The cost of child care for an infant at a center was more than in-state tuition at a public university in 41 states and D.C.⁴ Under current funding levels, Head Start is only able to serve 33% of eligible families, Early Head Start serves 11%, and the Child Care and Development Block Grant (CCDBG) serves 15% of families who qualify. The higher education regulations you are contemplating could worsen this crisis by limiting the number of early learning professionals across this country and thereby reducing the availability of child care options for families.

Along with the lack of affordability for families looking to access high-quality early childhood resources, there is a critical shortage of early care educators. Poverty-level pay and a lack of professional development opportunities create difficulty in maintaining early childhood educators, exacerbating child care shortages across the country. The early care and education workforce was found to be compensated at lower rates than 97% of all professions.⁵ The low pay and lack of resources can make early childhood careers undesirable and create high turnover. Increased investment in the early care and education workforce is desperately needed. A high-quality early childhood workforce requires specialized training and specific skill sets, and educators must be encouraged and supported in pursuing professional development and additional degree programs. Placing further restrictions on the ability of these professionals to pursue education opportunities by limiting their access to federal student loans will only exacerbate the problem that already exists.

The child care sector still has not recovered from the COVID-19 pandemic and has not been able to permanently increase wages and benefits to attract and keep teachers. Lawmakers provided approximately \$50 billion in emergency funding to the sector during the pandemic, all of which has since expired. In states that have not addressed this shortfall, the share of families who need child care and do not have it increased from 17.8% to 23.1%.⁶ States used this pandemic-era funding to eliminate copays for families, increase compensation for early learning teachers, reduce waiting lists, and expand child care assistance eligibility.⁷ These funds also increased women's participation in the workforce.

³ Maura Baldiga, Pamela Joshi, Erin Hardy, Dolores Acevedo-Garcia. "Data-for-Equity Research Brief: Child Care Affordability for Working Parents." Institute for Child, Youth, and Family Policy, Brandeis University. November 2018 https://www.diversitydatakids.org/sites/default/files/2020-02/child-care_update.pdf

⁴ Child Care Aware of America. "Child Care in America: 2024 Price and Supply." <https://www.childcareaware.org/price-landscape24/#PriceofCare>

⁵ McLean, C., Austin, L.J.E., Powell, A., Jaggi, S., Kim, Y., Knight, J., Muñoz, S., & Schlieber, M. (2024). Early Childhood Workforce Index – 2024. Center for the Study of Child Care Employment, University of California, Berkeley. <https://cscce.berkeley.edu/workforce-index-2024/>.

⁶ Sun, Shengwei. "Women and Families Struggle with Child Care Following the Federal Funding Cliff, but Fare Better in States with Additional State Funding for Child Care." National Women's Law Center. May 2024. <https://nwlc.org/wp-content/uploads/2024/05/Pluse-4.0-Child-Care-Fact-Sheet-May-2024-2.pdf>

⁷ King, C., Banghart, P., Hackett, S., Guerra, G., & Appel, S. (2024). Future directions for child care stabilization: Insights from state and territory uses of COVID-19 relief funds. Child Trends. DOI: 10.56417/1169b4422y

To ensure that these regulations do not harm early childhood educators, we urge you to do the following:

- Exempt programs that prepare students for qualifying public service, as defined in the Public Service Loan Forgiveness program.
- Define “program” at the broadest level possible, by the two-digit Classification of Instruction Programs code
- Assure the accuracy and relevance of wage data used to set wage comparisons for graduates of these programs, so that it does not disadvantage students acquiring early learning degrees, which is a field of high-skill and low-wage professionals.
- Delay the effective date (July 2026) of this provision.

Thank you for the opportunity to comment during this negotiated rulemaking process and I urge you to ensure that changes to the HEA do not harm the early learning workforce and further limit those professionals’ opportunities for increased compensation and professional development.

Sincerely,

A handwritten signature in blue ink that reads "Bruce Lesley". The signature is written in a cursive, slightly slanted style.

Bruce Lesley
President, First Focus on Children