

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO S. 1086  
OFFERED BY MR. KLINE OF MINNESOTA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Child Care and Devel-  
3 opment Block Grant Act of 2014”.

**4 SEC. 2. SHORT TITLE AND PURPOSES.**

5 Section 658A of the Child Care and Development  
6 Block Grant Act of 1990 (42 U.S.C. 9801 note) is amend-  
7 ed to read as follows:

**8 “SEC. 658A. SHORT TITLE AND PURPOSES.**

9 “(a) **SHORT TITLE.**—This subchapter may be cited  
10 as the ‘Child Care and Development Block Grant Act of  
11 1990’.

12 “(b) **PURPOSES.**—The purposes of this subchapter  
13 are—

14 “(1) to allow each State maximum flexibility in  
15 developing child care programs and policies that best  
16 suit the needs of children and parents within that  
17 State;

1           “(2) to promote parental choice to empower  
2           working parents to make their own decisions regard-  
3           ing the child care services that best suit their fam-  
4           ily’s needs;

5           “(3) to encourage States to provide consumer  
6           education information to help parents make in-  
7           formed choices about child care services and to pro-  
8           mote involvement by parents and family members in  
9           the development of their children in child care set-  
10          tings;

11          “(4) to assist States in delivering high-quality,  
12          coordinated early childhood care and education serv-  
13          ices to maximize parents’ options and support par-  
14          ents trying to achieve independence from public as-  
15          sistance;

16          “(5) to assist States in improving the overall  
17          quality of child care services and programs by imple-  
18          menting the health, safety, licensing, training, and  
19          oversight standards established in this subchapter  
20          and in State law (including State regulations);

21          “(6) to improve child care and development of  
22          participating children; and

23          “(7) to increase the number and percentage of  
24          low-income children in high-quality child care set-  
25          tings.”.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 658B of the Child Care and Development  
3 Block Grant Act of 1990 (42 U.S.C. 9858) is amended  
4 by striking “subchapter” and all that follows through the  
5 period at the end, and inserting “subchapter  
6 \$2,360,000,000 for fiscal year 2015, \$2,478,000,000 for  
7 fiscal year 2016, \$2,539,950,000 for fiscal year 2017,  
8 \$2,603,448,750 for fiscal year 2018, \$2,668,534,969 for  
9 fiscal year 2019, and \$2,748,591,018 for fiscal year  
10 2020.”.

11 **SEC. 4. LEAD AGENCY.**

12 (a) DESIGNATION.—Section 658D(a) of the Child  
13 Care and Development Block Grant Act of 1990 (42  
14 U.S.C. 9858b(a)) is amended—

15 (1) by striking “chief executive officer” and in-  
16 serting “Governor”; and

17 (2) by striking “designate” and all that follows  
18 and inserting “designate an agency (which may be  
19 an appropriate collaborative agency), or establish a  
20 joint interagency office, that complies with the re-  
21 quirements of subsection (b) to serve as the lead  
22 agency for the State under this subchapter.”.

23 (b) COLLABORATION WITH TRIBES.—Section  
24 658D(b)(1) of the Child Care and Development Block  
25 Grant Act of 1990 (42 U.S.C. 9858b(b)(1)) is amended—

1 (1) in subparagraph (C), by striking “and” at  
2 the end;

3 (2) in subparagraph (D), by striking the period  
4 and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(E) at the option of an Indian tribe or  
7 tribal organization in the State, collaborate and  
8 coordinate with such Indian tribe or tribal orga-  
9 nization in the development of the State plan in  
10 a timely manner.”.

11 **SEC. 5. APPLICATION AND PLAN.**

12 (a) PERIOD.—Section 658E(b) of the Child Care and  
13 Development Block Grant Act of 1990 (42 U.S.C.  
14 9858c(b)) is amended by striking “2-year” and inserting  
15 “3-year”.

16 (b) POLICIES AND PROCEDURES.—Section 658E(c)  
17 of the Child Care and Development Block Grant Act of  
18 1990 (42 U.S.C. 9858c(c)) is amended—

19 (1) in paragraph (1), by inserting “or estab-  
20 lished” after “designated”;

21 (2) in paragraph (2)—

22 (A) in subparagraph (B), by inserting a  
23 comma after “care of such providers”;

24 (B) by striking subparagraphs (D) through  
25 (H); and

1 (C) by adding at the end the following:

2 “(D) MONITORING AND INSPECTION RE-  
3 PORTS.—The plan shall include a certification  
4 that the State, not later than 1 year after the  
5 State has in effect the policies and practices de-  
6 scribed in subparagraph (K)(i), will make public  
7 by electronic means, in a consumer-friendly and  
8 easily accessible format, organized by provider,  
9 the results of monitoring and inspection re-  
10 ports, including those due to major substan-  
11 tiated complaints about failure to comply with  
12 this subchapter and State child care policies, as  
13 well as the number of deaths, serious injuries,  
14 and instances of substantiated child abuse that  
15 occurred in child care settings each year, for el-  
16 igible child care providers within the State. The  
17 results shall also include information on the  
18 date of such an inspection, and, where applica-  
19 ble, information on corrective action taken.

20 “(E) CONSUMER AND PROVIDER EDU-  
21 CATION INFORMATION.—The plan shall include  
22 a certification that the State will collect and  
23 disseminate (which dissemination may be done,  
24 except as otherwise specified in this subpara-  
25 graph, through resource and referral organiza-

1           tions or other means as determined by the  
2           State) to parents of eligible children, the gen-  
3           eral public, and, where applicable, providers—

4                   “(i) information about the availability  
5                   of the full diversity of child care services  
6                   that will promote informed child care  
7                   choices and that concerns—

8                           “(I) the availability of child care  
9                           services provided through programs  
10                           authorized by this subchapter and, if  
11                           feasible, other child care services and  
12                           other programs provided in the State  
13                           for which the family may be eligible,  
14                           as well as the availability of financial  
15                           assistance to obtain child care services  
16                           in the State;

17                           “(II) if available, information  
18                           about the quality of providers, as de-  
19                           termined by the State, that can be  
20                           provided through a Quality Rating  
21                           and Improvement System;

22                           “(III) information, made avail-  
23                           able through a State Web site, de-  
24                           scribing the State process for licens-  
25                           ing child care providers, the State

1 processes for conducting background  
2 checks, and monitoring and inspec-  
3 tions, of child care providers, and the  
4 offenses that prevent individuals and  
5 entities from serving as child care  
6 providers in the State;

7 “(IV) other programs for which  
8 families that receive child care serv-  
9 ices for which financial assistance is  
10 provided under this subchapter may  
11 be eligible, including the program of  
12 block grants to States for temporary  
13 assistance for needy families estab-  
14 lished under part A of title IV of the  
15 Social Security Act (42 U.S.C. 601 et  
16 seq.), Head Start and Early Head  
17 Start programs carried out under the  
18 Head Start Act (42 U.S.C. 9831 et  
19 seq.), the program carried out under  
20 the Low-Income Home Energy Assist-  
21 ance Act of 1981 (42 U.S.C. 8621 et  
22 seq.), the supplemental nutrition as-  
23 sistance program established under  
24 the Food and Nutrition Act of 2008  
25 (7 U.S.C. 2011 et seq.), the special

1 supplemental nutrition program for  
2 women, infants, and children estab-  
3 lished under section 17 of the Child  
4 Nutrition Act of 1966 (42 U.S.C.  
5 1786), the child and adult care food  
6 program established under section 17  
7 of the Richard B. Russell National  
8 School Lunch Act (42 U.S.C. 1766),  
9 and the Medicaid and State children’s  
10 health insurance programs under ti-  
11 tles XIX and XXI of the Social Secu-  
12 rity Act (42 U.S.C. 1396 et seq.,  
13 1397aa et seq.);

14 “(V) programs carried out under  
15 section 619 and part C of the Individ-  
16 uals with Disabilities Education Act  
17 (20 U.S.C. 1419, 1431 et seq.);

18 “(VI) research and best practices  
19 concerning children’s development, in-  
20 cluding social and emotional develop-  
21 ment, early childhood development,  
22 and meaningful parent and family en-  
23 gagement, and physical health and de-  
24 velopment (particularly healthy eating  
25 and physical activity); and



1                   “(VII) the State policies regard-  
2                   ing the social-emotional behavioral  
3                   health of young children, which may  
4                   include positive behavioral interven-  
5                   tion and support models, and policies  
6                   on expulsion of preschool-aged chil-  
7                   dren, in early childhood programs re-  
8                   ceiving assistance under this sub-  
9                   chapter; and

10                   “(ii) information on developmental  
11                   screenings, including—

12                   “(I) information on existing (as  
13                   of the date of submission of the appli-  
14                   cation containing the plan) resources  
15                   and services the State can deploy, in-  
16                   cluding the coordinated use of the  
17                   Early and Periodic Screening, Diag-  
18                   nosis, and Treatment program under  
19                   the Medicaid program carried out  
20                   under title XIX of the Social Security  
21                   Act (42 U.S.C. 1396 et seq.) and de-  
22                   velopmental screening services avail-  
23                   able under section 619 and part C of  
24                   the Individuals with Disabilities Edu-  
25                   cation Act (20 U.S.C. 1419, 1431 et

1 seq.), in conducting developmental  
2 screenings and providing referrals to  
3 services, when appropriate, for chil-  
4 dren who receive assistance under this  
5 subchapter; and

6 “(II) a description of how a fam-  
7 ily or eligible child care provider may  
8 utilize the resources and services de-  
9 scribed in subelause (I) to obtain de-  
10 velopmental screenings for children  
11 who receive assistance under this sub-  
12 chapter who may be at risk for cog-  
13 nitive or other developmental delays,  
14 which may include social, emotional,  
15 physical, or linguistic delays.

16 “(F) COMPLIANCE WITH STATE LICENSING  
17 REQUIREMENTS.—

18 “(i) IN GENERAL.—The plan shall in-  
19 clude a certification that the State involved  
20 has in effect licensing requirements appli-  
21 cable to child care services provided within  
22 the State, and provide a detailed descrip-  
23 tion of such requirements and of how such  
24 requirements are effectively enforced.

1                   “(ii) LICENSE EXEMPTION.—If the  
2                   State uses funds received under this sub-  
3                   chapter to support a child care provider  
4                   that is exempt from the corresponding li-  
5                   censing requirements described in clause  
6                   (i), the plan shall include a description  
7                   stating why such licensing exemption does  
8                   not endanger the health, safety, or develop-  
9                   ment of children who receive services from  
10                  child care providers who are exempt from  
11                  such requirements.

12                  “(G) TRAINING AND PROFESSIONAL DE-  
13                  VELOPMENT REQUIREMENTS.—

14                   “(i) IN GENERAL.—The plan shall de-  
15                   scribe the training and professional devel-  
16                   opment requirements that are in effect  
17                   within the State designed to enable child  
18                   care providers to promote the social, emo-  
19                   tional, physical, and cognitive development  
20                   of children and to improve the knowledge  
21                   and skills of the child care workforce. Such  
22                   requirements shall be applicable to child  
23                   care providers that provide services for  
24                   which assistance is provided in accordance  
25                   with this subchapter.

1                   “(ii) REQUIREMENTS.—The plan shall  
2                   provide an assurance that such training  
3                   and professional development—

4                   “(I) shall be conducted on an on-  
5                   going basis, provide for a progression  
6                   of professional development (which  
7                   may include encouraging the pursuit  
8                   of postsecondary education), reflect  
9                   current research and best practices re-  
10                  lating to the skills necessary for the  
11                  child care workforce to meet the de-  
12                  velopmental needs of participating  
13                  children, and improve the quality of,  
14                  and stability within, the child care  
15                  workforce;

16                  “(II) shall be developed in con-  
17                  sultation with the State Advisory  
18                  Council on Early Childhood Education  
19                  and Care (designated or established  
20                  pursuant to section 642B(b)(1)(A)(i)  
21                  of the Head Start Act (42 U.S.C.  
22                  9837b(b)(1)(A)(i))), and may engage  
23                  training providers in aligning training  
24                  opportunities with the State’s training  
25                  framework;

1                   “(III) incorporates knowledge  
2                   and application of the State’s early  
3                   learning and developmental guidelines  
4                   (where applicable), the State’s health  
5                   and safety standards, and incor-  
6                   porates social-emotional behavior  
7                   intervention models, which may in-  
8                   clude positive behavior intervention  
9                   and support models;

10                   “(IV) shall be accessible to pro-  
11                   viders supported through Indian  
12                   tribes or tribal organizations that re-  
13                   ceive assistance under this sub-  
14                   chapter; and

15                   “(V) to the extent practicable,  
16                   are appropriate for a population of  
17                   children that includes—

18                                   “(aa) different age groups;

19                                   “(bb) English learners;

20                                   “(cc) children with disabil-  
21                   ities; and

22                                   “(dd) Native Americans, in-  
23                   cluding Indians, as the term is  
24                   defined in section 4 of the Indian  
25                   Self-Determination and Edu-

1 cation Assistance Act (25 U.S.C.  
2 450b) (including Alaska Natives  
3 within the meaning of that term),  
4 and Native Hawaiians (as de-  
5 fined in section 7207 of the Ele-  
6 mentary and Secondary Edu-  
7 cation Act of 1965 (20 U.S.C.  
8 7517)).

9 “(iii) INFORMATION.—The plan shall  
10 include the number of hours of training re-  
11 quired for eligible providers and caregivers  
12 to engage in annually, as determined by  
13 the State.

14 “(iv) CONSTRUCTION.—The Secretary  
15 shall not require an individual or entity  
16 that provides child care services for which  
17 assistance is provided in accordance with  
18 this subchapter to acquire a credential to  
19 provide such services. Nothing in this sec-  
20 tion shall be construed to prohibit a State  
21 from requiring a credential.

22 “(H) CHILD-TO-PROVIDER RATIO STAND-  
23 ARDS.—

24 “(i) STANDARDS.—The plan shall de-  
25 scribe child care standards for child care

1 services for which assistance is made avail-  
2 able in accordance with this subchapter,  
3 appropriate to the type of child care set-  
4 ting involved, to provide for the safety and  
5 developmental needs of the children served,  
6 that address—

7 “(I) group size limits for specific  
8 age populations, as determined by the  
9 State;

10 “(II) the appropriate ratio be-  
11 tween the number of children and the  
12 number of providers, in terms of the  
13 age of the children in child care, as  
14 determined by the State; and

15 “(III) required qualifications for  
16 such providers, as determined by the  
17 State.

18 “(ii) CONSTRUCTION.—The Secretary  
19 may offer guidance to States on child-to-  
20 provider ratios described in clause (i) ac-  
21 cording to setting and age group, but shall  
22 not require that the State maintain specific  
23 group size limits for specific age popu-  
24 lations or child-to-provider ratios for pro-

1           viders who receive assistance in accordance  
2           with subchapter.

3           “(I) HEALTH AND SAFETY REQUIRE-  
4           MENTS.—The plan shall include a certification  
5           that there are in effect within the State, under  
6           State or local law, requirements designed to  
7           protect the health and safety of children that  
8           are applicable to child care providers that pro-  
9           vide services for which assistance is made avail-  
10          able in accordance with this subchapter. Such  
11          requirements—

12                   “(i) shall relate to matters including  
13                   health and safety topics consisting of—

14                           “(I) the prevention and control of  
15                           infectious diseases (including immuni-  
16                           zation) and the establishment of a  
17                           grace period that allows homeless chil-  
18                           dren and children in foster care to re-  
19                           ceive services under this subchapter  
20                           while their families (including foster  
21                           families) are taking any necessary ac-  
22                           tion to comply with immunization and  
23                           other health and safety requirements;



1                   “(II) prevention of sudden infant  
2 death syndrome and use of safe sleep-  
3 ing practices;

4                   “(III) the administration of  
5 medication, consistent with standards  
6 for parental consent;

7                   “(IV) the prevention of and re-  
8 sponse to emergencies due to food and  
9 allergic reactions;

10                  “(V) building and physical prem-  
11 ises safety, including identification of  
12 and protection from hazards that can  
13 cause bodily injury such as electrical  
14 hazards, bodies of water, and vehic-  
15 ular traffic;

16                  “(VI) prevention of shaken baby  
17 syndrome and abusive head trauma;

18                  “(VII) emergency preparedness  
19 and response planning for emer-  
20 gencies resulting from a natural dis-  
21 aster, or a man-caused event (such as  
22 violence at a child care facility), with-  
23 in the meaning of those terms under  
24 section 602(a)(1) of the Robert T.  
25 Stafford Disaster Relief and Emer-

1 agency Assistance Act (42 U.S.C.  
2 5195a(a)(1));

3 “(VIII) the handling and storage  
4 of hazardous materials and the appro-  
5 priate disposal of biocontaminants;

6 “(IX) for providers that offer  
7 transportation, if applicable, appro-  
8 priate precautions in transporting  
9 children;

10 “(X) first aid and  
11 cardiopulmonary resuscitation; and

12 “(XI) minimum health and safety  
13 training, to be completed pre-service  
14 or during an orientation period in ad-  
15 dition to ongoing training, appropriate  
16 to the provider setting involved that  
17 addresses each of the requirements re-  
18 lating to matters described in sub-  
19 clauses (I) through (X); and

20 “(ii) may include requirements relat-  
21 ing to nutrition, access to physical activity,  
22 or any other subject area determined by  
23 the State to be necessary to promote child  
24 development or to protect children’s health  
25 and safety.

1           “(J) COMPLIANCE WITH STATE AND LOCAL  
2 HEALTH AND SAFETY REQUIREMENTS.—The  
3 plan shall include a certification that proce-  
4 dures are in effect to ensure that child care  
5 providers within the State, that provide services  
6 for which assistance is made available in ac-  
7 cordance with this subchapter, comply with all  
8 applicable State and local health and safety re-  
9 quirements as described in subparagraph (I).

10           “(K) ENFORCEMENT OF LICENSING AND  
11 OTHER REGULATORY REQUIREMENTS.—

12           “(i) CERTIFICATION.—The plan shall  
13 include a certification that the State, not  
14 later than 2 years after the date of enact-  
15 ment of the Child Care and Development  
16 Block Grant Act of 2014, shall have in ef-  
17 fect policies and practices, applicable to li-  
18 censing or regulating child care providers  
19 that provide services for which assistance  
20 is made available in accordance with this  
21 subchapter and the facilities of those pro-  
22 viders, that—

23           “(I) ensure that individuals who  
24 are hired as licensing inspectors in the  
25 State are qualified to inspect those

1 child care providers and facilities and  
2 have received training in related  
3 health and safety requirements, and  
4 are trained in all aspects of the  
5 State’s licensure requirements;

6 “(II) require licensing inspectors  
7 (or qualified inspectors designated by  
8 the lead agency) of those child care  
9 providers and facilities to perform in-  
10 spections, with—

11 “(aa) not less than 1  
12 prelicensure inspection, for com-  
13 pliance with health, safety, and  
14 fire standards, of each such child  
15 care provider and facility in the  
16 State; and

17 “(bb) not less than annually,  
18 an inspection (which shall be un-  
19 announced) of each such child  
20 care provider and facility in the  
21 State for compliance with all  
22 child care licensing standards,  
23 which shall include an inspection  
24 for compliance with health, safe-  
25 ty, and fire standards (inspectors

1                   may inspect for compliance with  
2                   all 3 standards at the same  
3                   time);

4                   “(III) require the ratio of licens-  
5                   ing inspectors to such child care pro-  
6                   viders and facilities in the State to be  
7                   maintained at a level sufficient to en-  
8                   able the State to conduct inspections  
9                   of such child care providers and facili-  
10                  ties on a timely basis in accordance  
11                  with Federal, State, and local law;  
12                  and

13                  “(IV) require licensing inspectors  
14                  (or qualified inspectors designated by  
15                  the lead agency) of child care pro-  
16                  viders and facilities to perform an an-  
17                  nual inspection of each license-exempt  
18                  provider in the State receiving funds  
19                  under this subchapter (unless the pro-  
20                  vider is an eligible child care provider  
21                  as described in section 658P(6)(B))  
22                  for compliance with health, safety,  
23                  and fire standards, at a time to be de-  
24                  termined by the State.

1                   “(ii) CONSTRUCTION.—The Secretary  
2                   may offer guidance to a State, if requested  
3                   by the State, on a research-based min-  
4                   imum standard regarding ratios described  
5                   in clause (i)(III) and provide technical as-  
6                   sistance to the State on meeting the min-  
7                   imum standard within a reasonable time  
8                   period, but shall not prescribe a particular  
9                   ratio.

10                   “(L) COMPLIANCE WITH CHILD ABUSE RE-  
11                   PORTING REQUIREMENTS.—The plan shall in-  
12                   clude a certification that child care providers  
13                   within the State will comply with the child  
14                   abuse reporting requirements of section  
15                   106(b)(2)(B)(i) of the Child Abuse Prevention  
16                   and Treatment Act (42 U.S.C.  
17                   5106a(b)(2)(B)(i)).

18                   “(M) MEETING THE NEEDS OF CERTAIN  
19                   POPULATIONS.—The plan shall describe how  
20                   the State will develop and implement strategies  
21                   (which may include alternative reimbursement  
22                   rates to child care providers, the provision of di-  
23                   rect contracts or grants to community-based or-  
24                   ganizations, offering child care certificates to  
25                   parents, or other means determined by the

1 State) to increase the supply and improve the  
2 quality of child care services for—

3 “(i) children in underserved areas;

4 “(ii) infants and toddlers;

5 “(iii) children with disabilities, as de-  
6 fined by the State; and

7 “(iv) children who receive care during  
8 nontraditional hours.

9 “(N) PROTECTION FOR WORKING PAR-  
10 ENTS.—

11 “(i) MINIMUM PERIOD.—

12 “(I) 12-MONTH PERIOD.—The  
13 plan shall demonstrate that each child  
14 who receives assistance under this  
15 subchapter in the State will be consid-  
16 ered to meet all eligibility require-  
17 ments for such assistance and will re-  
18 ceive such assistance, for not less than  
19 12 months before the State or des-  
20 ignated local entity redetermines the  
21 eligibility of the child under this sub-  
22 chapter, regardless of a temporary  
23 change in the ongoing status of the  
24 child’s parent as working or attending  
25 a job training or educational program

1 or a change in family income for the  
2 child's family, if that family income  
3 does not exceed 85 percent of the  
4 State median income for a family of  
5 the same size.

6 “(II) FLUCTUATIONS IN EARN-  
7 INGS.—The plan shall demonstrate  
8 how the State's or designated local  
9 entity's processes for initial deter-  
10 mination and redetermination of such  
11 eligibility take into account irregular  
12 fluctuations in earnings.

13 “(ii) REDETERMINATION PROCESS.—  
14 The plan shall describe the procedures and  
15 policies that are in place to ensure that  
16 working parents (especially parents in fam-  
17 ilies receiving assistance under the pro-  
18 gram of block grants to States for tem-  
19 porary assistance for needy families under  
20 part A of title IV of the Social Security  
21 Act (42 U.S.C. 601 et seq.)) are not re-  
22 quired to unduly disrupt their employment  
23 in order to comply with the State's or des-  
24 ignated local entity's requirements for re-  
25 determination of eligibility for assistance



1 provided in accordance with this sub-  
2 chapter.

3 “(iii) PERIOD BEFORE TERMI-  
4 NATION.—At the option of the State, the  
5 plan shall demonstrate that the State will  
6 not terminate assistance provided to carry  
7 out this subchapter based on a factor con-  
8 sisting of a parent’s loss of work or ces-  
9 sation of attendance at a job training or  
10 educational program for which the family  
11 was receiving the assistance, without con-  
12 tinuing the assistance for a reasonable pe-  
13 riod of time, of not less than 3 months,  
14 after such loss or cessation in order for the  
15 parent to engage in a job search and re-  
16 sume work, or resume attendance at a job  
17 training or educational program, as soon  
18 as possible.

19 “(iv) GRADUATED PHASEOUT OF  
20 CARE.—The plan shall describe the policies  
21 and procedures that are in place to allow  
22 for provision of continued assistance to  
23 carry out this subchapter, at the beginning  
24 of a new eligibility period under clause  
25 (i)(I), for children of parents who are

1 working or attending a job training or edu-  
2 cational program and whose family income  
3 exceeds the State's income limit to initially  
4 qualify for such assistance, if the family  
5 income for the family involved does not ex-  
6 ceed 85 percent of the State median in-  
7 come for a family of the same size.

8 “(O) COORDINATION WITH OTHER PRO-  
9 GRAMS.—

10 “(i) IN GENERAL.—The plan shall de-  
11 scribe how the State, in order to expand  
12 accessibility and continuity of care, and as-  
13 sist children enrolled in early childhood  
14 programs to receive full-day services, will  
15 efficiently, and to the extent practicable,  
16 coordinate the services supported to carry  
17 out this subchapter with programs oper-  
18 ating at the Federal, State, and local levels  
19 for children in preschool programs, tribal  
20 early childhood programs, and other early  
21 childhood programs, including those serv-  
22 ing infants and toddlers with disabilities,  
23 homeless children, and children in foster  
24 care.

1                   “(ii) OPTIONAL USE OF COMBINED  
2 FUNDS.—If the State elects to combine  
3 funding for the services supported to carry  
4 out this subchapter with funding for any  
5 program described in clause (i), the plan  
6 shall describe how the State will combine  
7 the multiple sets of funding and use the  
8 combined funding.

9                   “(iii) RULE OF CONSTRUCTION.—  
10 Nothing in clause (i) shall be construed to  
11 affect the priority of children described in  
12 clause (i) to receive full-day prekindergarten or Head Start program services.

13                   “(P) PUBLIC-PRIVATE PARTNERSHIPS.—  
14 The plan shall demonstrate how the State encourages  
15 partnerships among State agencies,  
16 other public agencies, Indian tribes and tribal  
17 organizations, and private entities, including  
18 faith-based and community-based organizations,  
19 to leverage existing service delivery systems (as  
20 of the date of the submission of the application  
21 containing the plan) for child care and development  
22 services and to increase the supply and  
23 quality of child care services for children who  
24 are less than 13 years of age, such as by imple-  
25

1           menting voluntary shared services alliance mod-  
2           els.

3           “(Q) PRIORITY FOR LOW-INCOME POPU-  
4           LATIONS.—The plan shall describe the process  
5           the State proposes to use, with respect to in-  
6           vestments made to increase access to programs  
7           providing high-quality child care and develop-  
8           ment services, to give priority for those invest-  
9           ments to children of families in areas that have  
10          significant concentrations of poverty and unem-  
11          ployment and that do not have such programs.

12          “(R) CONSULTATION.—The plan shall in-  
13          clude a certification that the State has devel-  
14          oped the plan in consultation with the State  
15          Advisory Council on Early Childhood Education  
16          and Care designated or established pursuant to  
17          section 642B(b)(1)(A)(i) of the Head Start Act  
18          (42 U.S.C. 9837b(b)(1)(A)(i)).

19          “(S) PAYMENT PRACTICES.—The plan  
20          shall include—

21                  “(i) a certification that the payment  
22                  practices of child care providers in the  
23                  State that serve children who receive as-  
24                  sistance under this subchapter reflect gen-  
25                  erally accepted payment practices of child

1 care providers in the State that serve chil-  
2 dren who do not receive assistance under  
3 this subchapter, so as to provide stability  
4 of funding and encourage more child care  
5 providers to serve children who receive as-  
6 sistance under this subchapter; and

7 “(ii) an assurance that the State will,  
8 to the extent practicable, implement enroll-  
9 ment and eligibility policies that support  
10 the fixed costs of providing child care serv-  
11 ices by delinking provider reimbursement  
12 rates from an eligible child’s occasional ab-  
13 sences due to holidays or unforeseen cir-  
14 cumstances such as illness.

15 “(T) EARLY LEARNING AND DEVELOP-  
16 MENTAL GUIDELINES.—

17 “(i) IN GENERAL.—The plan shall in-  
18 clude an assurance that the State will  
19 maintain or implement early learning and  
20 developmental guidelines (or develop such  
21 guidelines if the State does not have such  
22 guidelines as of the date of enactment of  
23 the Child Care and Development Block  
24 Grant Act of 2014) that are appropriate  
25 for children from birth to kindergarten

1 entry, describing what such children should  
2 know and be able to do, and covering the  
3 essential domains of early childhood devel-  
4 opment for use statewide by child care pro-  
5 viders. Such guidelines shall—

6 “(I) be research-based, develop-  
7 mentally appropriate, and aligned  
8 with entry to kindergarten;

9 “(II) be implemented in consulta-  
10 tion with the state educational agency  
11 and the State Advisory Council on  
12 Early Childhood Education and Care  
13 (designated or established pursuant to  
14 section 642B(b)(I)(A)(i) of the Head  
15 Start Act (42 U.S.C.  
16 9837b(b)(1)(A)(i)); and

17 “(III) be updated as determined  
18 by the State.

19 “(ii) PROHIBITION ON USE OF  
20 FUNDS.—The plan shall include an assur-  
21 ance that funds received by the State to  
22 carry out this subchapter will not be used  
23 to develop or implement an assessment for  
24 children that—

1                   “(I) will be the sole basis for a  
2 child care provider being determined  
3 to be ineligible to participate in the  
4 program carried out under this sub-  
5 chapter;

6                   “(II) will be used as the primary  
7 or sole basis to provide a reward or  
8 sanction for an individual provider;

9                   “(III) will be used as the primary  
10 or sole method for assessing program  
11 effectiveness; or

12                   “(IV) will be used to deny chil-  
13 dren eligibility to participate in the  
14 program carried out under this sub-  
15 chapter.

16                   “(iii) EXCEPTIONS.—Nothing in this  
17 subchapter shall preclude the State from  
18 using a single assessment as determined by  
19 the State for children for—

20                   “(I) supporting learning or im-  
21 proving a classroom environment;

22                   “(II) targeting professional devel-  
23 opment to a provider;

24                   “(III) determining the need for  
25 health, mental health, disability, de-

1 velopmental delay, or family support  
2 services;

3 “(IV) obtaining information for  
4 the quality improvement process at  
5 the State level; or

6 “(V) conducting a program eval-  
7 uation for the purposes of providing  
8 program improvement and parent in-  
9 formation.

10 “(iv) NO FEDERAL CONTROL.—Noth-  
11 ing in this section shall be construed to au-  
12 thorize an officer or employee of the Fed-  
13 eral Government to—

14 “(I) mandate, direct, control, or  
15 place conditions (outside of what is  
16 required by this subchapter) around  
17 adopting a State’s early learning and  
18 developmental guidelines developed in  
19 accordance with this section;

20 “(II) establish any criterion that  
21 specifies, defines, prescribes, or places  
22 conditions (outside of what is required  
23 by this subchapter) on a State adopt-  
24 ing standards or measures that a  
25 State uses to establish, implement, or



1 improve such guidelines, related ac-  
2 countability systems, or alignment of  
3 such guidelines with education stand-  
4 ards; or

5 “(III) require a State to submit  
6 such guidelines for review.

7 “(U) DISASTER PREPAREDNESS.—

8 “(i) IN GENERAL.—The plan shall  
9 demonstrate the manner in which the  
10 State will address the needs of children in  
11 child care services provided through pro-  
12 grams authorized under this subchapter,  
13 including the need for safe child care, for  
14 the period before, during, and after a state  
15 of emergency declared by the Governor or  
16 a major disaster or emergency (as such  
17 terms are defined in section 102 of the  
18 Robert T. Stafford Disaster Relief and  
19 Emergency Assistance Act (42 U.S.C.  
20 5122)).

21 “(ii) STATEWIDE CHILD CARE DIS-  
22 ASTER PLAN.—Such plan shall include a  
23 statewide child care disaster plan for co-  
24 ordination of activities and collaboration,  
25 in the event of an emergency or disaster

1 described in clause (i), among the State  
2 agency with jurisdiction over human serv-  
3 ices, the agency with jurisdiction over  
4 State emergency planning, the State lead  
5 agency, the State agency with jurisdiction  
6 over licensing of child care providers, the  
7 local resource and referral organizations,  
8 the State resource and referral system, and  
9 the State Advisory Council on Early Child-  
10 hood Education and Care as provided for  
11 under section 642B(b) of the Head Start  
12 Act (42 U.S.C. 9837b(b)).

13 “(iii) DISASTER PLAN COMPO-  
14 NENTS.—The components of the disaster  
15 plan, for such an emergency or disaster,  
16 shall include—

17 “(I) evacuation, relocation, shel-  
18 ter-in-place, and lock-down proce-  
19 dures, and procedures for communica-  
20 tion and reunification with families,  
21 continuity of operations, and accom-  
22 modation of infants and toddlers, chil-  
23 dren with disabilities, and children  
24 with chronic medical conditions;

1 “(II) guidelines for the continu-  
2 ation of child care services in the pe-  
3 riod following the emergency or dis-  
4 aster, which may include the provision  
5 of emergency and temporary child  
6 care services, and temporary oper-  
7 ating standards for child care pro-  
8 viders during that period; and

9 “(III) procedures for staff and  
10 volunteer emergency preparedness  
11 training and practice drills.

12 “(V) BUSINESS TECHNICAL ASSISTANCE.—  
13 The plan shall describe how the State will de-  
14 velop and implement strategies to strengthen  
15 the business practices of child care providers to  
16 expand the supply, and improve the quality of,  
17 child care services.”;

18 (3) in paragraph (3)—

19 (A) in subparagraph (A), by striking “as  
20 required under” and inserting “in accordance  
21 with”;

22 (B) in subparagraph (B)—

23 (i) by striking “The State” and in-  
24 serting the following:

25 “(i) IN GENERAL.—The State”;

1 (ii) by striking “and any other activity  
2 that the State deems appropriate to realize  
3 any of the goals specified in paragraphs  
4 (2) through (5) of section 658A(b)” and  
5 inserting “activities that improve access to  
6 child care services, including the use of  
7 procedures to permit enrollment (after an  
8 initial eligibility determination) of homeless  
9 children while required documentation is  
10 obtained, training and technical assistance  
11 on identifying and serving homeless chil-  
12 dren and their families, and specific out-  
13 reach to homeless families, and any other  
14 activity that the State determines to be ap-  
15 propriate to meet the purposes of this sub-  
16 chapter (which may include an activity de-  
17 scribed in clause (ii))”; and

18 (iii) by adding at the end the fol-  
19 lowing:

20 “(ii) REPORT BY THE ASSISTANT SEC-  
21 RETARY FOR CHILDREN AND FAMILIES.—

22 “(I) IN GENERAL.—Not later  
23 than September 30 of the first full fis-  
24 cal year after the date of enactment of  
25 the Child Care and Development

1 Block Grant Act of 2014, and Sep-  
2 tember 30 of each fiscal year there-  
3 after, the Secretary (acting through  
4 the Assistant Secretary for Children  
5 and Families of the Department of  
6 Health and Human Services) shall  
7 prepare a report that contains a de-  
8 termination about whether each State  
9 uses amounts provided to such State  
10 for the fiscal year involved under this  
11 subchapter in accordance with the pri-  
12 ority for services described in clause  
13 (i).

14 “(II) PENALTY FOR NONCOMPLI-  
15 ANCE.—For any fiscal year that the  
16 report of the Secretary described in  
17 subclause (I) indicates that a State  
18 has failed to give priority for services  
19 in accordance with clause (i), the Sec-  
20 retary shall—

21 “(aa) inform the State that  
22 the State has until the date that  
23 is 6 months after the Secretary  
24 has issued such report to fully  
25 comply with clause (i);

1           “(bb) provide the State an  
2           opportunity to modify the State  
3           plan of such State, to make the  
4           plan consistent with the require-  
5           ments of clause (i), and resubmit  
6           such State plan to the Secretary  
7           not later than the date described  
8           in item (aa); and

9           “(cc) if the State does not  
10          fully comply with clause (i) and  
11          item (bb), by the date described  
12          in item (aa), withhold 5 percent  
13          of the funds that would otherwise  
14          be allocated to that State in ac-  
15          cordance with this subchapter for  
16          the first full fiscal year after that  
17          date.

18          “(III) WAIVER FOR EXTRAOR-  
19          DINARY CIRCUMSTANCES.—Notwith-  
20          standing subclause (II) the Secretary  
21          may grant a waiver to a State for one  
22          year to the penalty applied in sub-  
23          clause (II) if the Secretary determines  
24          there are extraordinary circumstances,  
25          such as a natural disaster, that pre-

1 vent the State from complying with  
2 clause (i). If the Secretary does grant  
3 a waiver to a State under this section,  
4 the Secretary shall, within 30 days of  
5 granting such waiver, submit a report  
6 to the appropriate congressional com-  
7 mittees on the circumstances of the  
8 waiver including the stated reason  
9 from the State on the need for a waiv-  
10 er, the expected impact of the waiver  
11 on children served under this pro-  
12 gram, and any such other relevant in-  
13 formation the Secretary deems nec-  
14 essary.

15 “(iii) CHILD CARE RESOURCE AND  
16 REFERRAL SYSTEM.—

17 “(I) IN GENERAL.—A State may  
18 use amounts described in clause (i) to  
19 establish or support a system of local  
20 or regional child care resource and re-  
21 ferral organizations that is coordi-  
22 nated, to the extent determined appro-  
23 priate by the State, by a statewide  
24 public or private nonprofit, commu-  
25 nity-based or regionally based, lead

1 child care resource and referral orga-  
2 nization.

3 “(II) LOCAL OR REGIONAL ORGA-  
4 NIZATIONS.—The local or regional  
5 child care resource and referral orga-  
6 nizations supported as described in  
7 subclause (I) shall—

8 “(aa) provide parents in the  
9 State with consumer education  
10 information referred to in para-  
11 graph (2)(E) (except as otherwise  
12 provided in that paragraph), con-  
13 cerning the full range of child  
14 care options (including faith-  
15 based and community-based child  
16 care providers), analyzed by pro-  
17 vider, including child care pro-  
18 vided during nontraditional hours  
19 and through emergency child  
20 care centers, in their political  
21 subdivisions or regions;

22 “(bb) to the extent prac-  
23 ticable, work directly with fami-  
24 lies who receive assistance under  
25 this subchapter to offer the fami-



1 lies support and assistance, using  
2 information described in item  
3 (aa), to make an informed deci-  
4 sion about which child care pro-  
5 viders they will use, in an effort  
6 to ensure that the families are  
7 enrolling their children in the  
8 most appropriate child care set-  
9 ting to suit their needs and one  
10 that is of high quality (as deter-  
11 mined by the State);

12 “(cc) collect data and pro-  
13 vide information on the coordina-  
14 tion of services and supports, in-  
15 cluding services under section  
16 619 and part C of the Individuals  
17 with Disabilities Education Act  
18 (20 U.S.C. 1431, et seq.), for  
19 children with disabilities (as de-  
20 fined in section 602 of such Act  
21 (20 U.S.C. 1401));

22 “(dd) collect data and pro-  
23 vide information on the supply of  
24 and demand for child care serv-  
25 ices in political subdivisions or

1 regions within the State and sub-  
2 mit such information to the  
3 State;

4 “(ee) work to establish part-  
5 nerships with public agencies and  
6 private entities, including faith-  
7 based and community-based child  
8 care providers, to increase the  
9 supply and quality of child care  
10 services in the State; and

11 “(ff) as appropriate, coordi-  
12 nate their activities with the ac-  
13 tivities of the State lead agency  
14 and local agencies that admin-  
15 ister funds made available in ac-  
16 cordance with this subchapter.”;

17 (C) in subparagraph (D)—

18 (i) by striking “1997 through 2002)”  
19 and inserting “2015 through 2020”; and

20 (ii) by striking “other than families  
21 described in paragraph (2)(H)” and insert-  
22 ing “including or in addition to families  
23 with children described in clause (i), (ii),  
24 (iii), or (iv) of paragraph (2)(M)”;

25 (D) by adding at the end the following:

1           “(E) DIRECT SERVICES.—From amounts  
2 provided to a State for a fiscal year to carry  
3 out this subchapter, the State shall—

4           “(i) reserve the minimum amount re-  
5 quired to be reserved under section 658G,  
6 and the funds for costs described in sub-  
7 paragraph (C); and

8           “(ii) from the remainder, use not less  
9 than 70 percent to fund direct services  
10 (provided by the State) in accordance with  
11 paragraph (2)(A).”;

12           (4) by striking paragraph (4) and inserting the  
13 following:

14           “(4) PAYMENT RATES.—

15           “(A) IN GENERAL.—The State plan shall  
16 certify that payment rates for the provision of  
17 child care services for which assistance is pro-  
18 vided in accordance with this subchapter are  
19 sufficient to ensure equal access for eligible  
20 children to child care services that are com-  
21 parable to child care services in the State or  
22 substate area involved that are provided to chil-  
23 dren whose parents are not eligible to receive  
24 assistance under this subchapter or to receive  
25 child care assistance under any other Federal

1 or State program, and shall provide a summary  
2 of the facts relied on by the State to determine  
3 that such rates are sufficient to ensure such ac-  
4 cess.

5 “(B) SURVEY.—The State plan shall—

6 “(i) demonstrate that the State has,  
7 after consulting with the State Advisory  
8 Council on Early Childhood Education and  
9 Care designated or established in section  
10 642B(b)(1)(A)(i) of the Head Start Act  
11 (42 U.S.C. 9837b(b)(1)(A)(i)), local child  
12 care program administrators, local child  
13 care resource and referral agencies, and  
14 other appropriate entities, developed and  
15 conducted (not earlier than 2 years before  
16 the date of the submission of the applica-  
17 tion containing the State plan) a statis-  
18 tically valid and reliable survey of the mar-  
19 ket rates for child care services in the  
20 State (that reflects variations in the cost of  
21 child care services by geographic area, type  
22 of provider, and age of child) or an alter-  
23 native methodology, such as a cost esti-  
24 mation model, that has been developed by  
25 the State lead agency;

1           “(ii) demonstrate that the State pre-  
2           pared a detailed report containing the re-  
3           sults of the State market rates survey or  
4           alternative methodology conducted pursu-  
5           ant to clause (i), and made the results of  
6           the survey or alternative methodology  
7           widely available (not later than 30 days  
8           after the completion of such survey or al-  
9           ternative methodology) through periodic  
10          means, including posting the results on the  
11          Internet;

12          “(iii) describe how the State will set  
13          payment rates for child care services, for  
14          which assistance is provided in accordance  
15          with this subchapter—

16                 “(I) in accordance with the re-  
17                 sults of the market rates survey or al-  
18                 ternative methodology conducted pur-  
19                 suant to clause (i);

20                 “(II) taking into consideration  
21                 the cost of providing higher quality  
22                 child care services than were provided  
23                 under this subchapter before the date  
24                 of enactment of the Child Care and

1 Development Block Grant Act of  
2 2014; and

3 “(III) without, to the extent  
4 practicable, reducing the number of  
5 families in the State receiving such  
6 assistance to carry out this sub-  
7 chapter, relative to the number of  
8 such families on the date of enact-  
9 ment of that Act; and

10 “(iv) describe how the State will pro-  
11 vide for timely payment for child care serv-  
12 ices provided under this subchapter.

13 “(C) CONSTRUCTION.—

14 “(i) NO PRIVATE RIGHT OF ACTION.—  
15 Nothing in this paragraph shall be con-  
16 strued to create a private right of action if  
17 the State acted in accordance with this  
18 paragraph.

19 “(ii) NO PROHIBITION OF CERTAIN  
20 DIFFERENT RATES.—Nothing in this sub-  
21 chapter shall be construed to prevent a  
22 State from differentiating the payment  
23 rates described in subparagraph (B)(iii) on  
24 the basis of such factors as—

1                   “(I) geographic location of child  
2                   care providers (such as location in an  
3                   urban or rural area);

4                   “(II) the age or particular needs  
5                   of children (such as the needs of chil-  
6                   dren with disabilities and children  
7                   served by child protective services);

8                   “(III) whether the providers pro-  
9                   vide child care services during week-  
10                  end and other nontraditional hours; or

11                  “(IV) the State’s determination  
12                  that such differentiated payment rates  
13                  may enable a parent to choose high-  
14                  quality child care that best fits the  
15                  parent’s needs.”; and

16                  (5) in paragraph (5), by inserting “(that is not  
17                  a barrier to families receiving assistance under this  
18                  subchapter)” after “cost sharing”.

19                  (c) TECHNICAL AMENDMENT.—Section 658F(b)(2)  
20 of the Child Care and Development Block Grant Act of  
21 1990 (42 U.S.C. 9858d(b)(2)) is amended by striking  
22 “section 658E(c)(2)(F)” and inserting “section  
23 658E(c)(2)(I)”.

1 **SEC. 6. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**  
2 **CARE.**

3 Section 658G of the Child Care and Development  
4 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended  
5 to read as follows:

6 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**  
7 **CHILD CARE.**

8 “(a) RESERVATION.—

9 “(1) RESERVATION FOR ACTIVITIES RELATING  
10 TO THE QUALITY OF CHILD CARE SERVICES.—A  
11 State that receives funds to carry out this sub-  
12 chapter for a fiscal year referred to in paragraph (2)  
13 shall reserve and use a portion of such funds, in ac-  
14 cordance with paragraph (2), for activities provided  
15 directly, or through grants or contracts with local  
16 child care resource and referral organizations or  
17 other appropriate entities, that are designed to im-  
18 prove the quality of child care services and increase  
19 parental options for, and access to, high-quality  
20 child care, and is in alignment with a Statewide as-  
21 sessment of the State’s needs to carry out such serv-  
22 ices and care, provided in accordance with this sub-  
23 chapter.

24 “(2) AMOUNT OF RESERVATIONS.—Such State  
25 shall reserve and use—



1           “(A) to carry out the activities described in  
2 paragraph (1), not less than—

3           “(i) 7 percent of the funds described  
4 in paragraph (1), for the first and second  
5 full fiscal years after the date of enactment  
6 of the Child Care and Development Block  
7 Grant Act of 2014;

8           “(ii) 8 percent of such funds for the  
9 third and fourth full fiscal years after the  
10 date of enactment; and

11           “(iii) 9 percent of such funds for the  
12 fifth and each succeeding full fiscal year  
13 after the date of enactment; and

14           “(B) in addition to the funds reserved  
15 under subparagraph (A), 3 percent of the funds  
16 described in paragraph (1) received not later  
17 than the second full fiscal year after the date  
18 of enactment and received for each succeeding  
19 full fiscal year, to carry out the activities de-  
20 scribed in paragraph (1) and subsection (b)(4),  
21 as such activities relate to the quality of care  
22 for infants and toddlers.

23           “(3) STATE RESERVATION AMOUNT.—Nothing  
24 in this subsection shall preclude the State from re-  
25 serving a larger percentage of funds to carry out the

1 activities described in paragraph (1) and subsection  
2 (b).

3 “(b) ACTIVITIES.—Funds reserved under subsection  
4 (a) shall be used to carry out no fewer than one of the  
5 following activities that will improve the quality of child  
6 care services provided in the State:

7 “(1) Supporting the training and professional  
8 development of the child care workforce through ac-  
9 tivities such as those included under section  
10 658E(c)(2)(G), in addition to—

11 “(A) offering training and professional de-  
12 velopment opportunities for child care providers  
13 that relate to the use of scientifically-based, de-  
14 velopmentally-appropriate and age-appropriate  
15 strategies to promote the social, emotional,  
16 physical, and cognitive development of children,  
17 including those related to nutrition and physical  
18 activity, and offering specialized training for  
19 child care providers caring for those populations  
20 prioritized in section 658E(c)(2)(Q), and chil-  
21 dren with disabilities;

22 “(B) incorporating the effective use of data  
23 to guide program improvement;

24 “(C) including effective behavior manage-  
25 ment strategies and training, including positive

1 behavior interventions and support models, that  
2 promote positive social and emotional develop-  
3 ment and reduce challenging behaviors, includ-  
4 ing reducing expulsions of preschool-aged chil-  
5 dren for such behaviors;

6 “(E) providing training and outreach on  
7 engaging parents and families in culturally and  
8 linguistically appropriate ways to expand their  
9 knowledge, skills, and capacity to become mean-  
10 ingful partners in supporting their children’s  
11 positive development;

12 “(F) providing training corresponding to  
13 the nutritional and physical activity needs of  
14 children to promote healthy development;

15 “(G) providing training or professional de-  
16 velopment for child care providers regarding the  
17 early neurological development of children; and

18 “(H) connecting child care staff members  
19 of child care providers with available Federal  
20 and State financial aid, or other resources, that  
21 would assist child care staff members in pur-  
22 suing relevant postsecondary training.

23 “(2) Improving upon the development or imple-  
24 mentation of the early learning and developmental  
25 guidelines described in section 658E(c)(2)(T) by

1 providing technical assistance to eligible child care  
2 providers that enhances the cognitive, physical, so-  
3 cial and emotional development, including early  
4 childhood development, of participating preschool  
5 and school-aged children and supports their overall  
6 well-being.

7 “(3) Developing, implementing, or enhancing a  
8 tiered quality rating system for child care providers  
9 and services, which may—

10 “(A) support and assess the quality of  
11 child care providers in the State;

12 “(B) build on State licensing standards  
13 and other State regulatory standards for such  
14 providers;

15 “(C) be designed to improve the quality of  
16 different types of child care providers and serv-  
17 ices;

18 “(D) describe the safety of child care fa-  
19 cilities;

20 “(E) build the capacity of State early  
21 childhood programs and communities to pro-  
22 mote parents’ and families’ understanding of  
23 the State’s early childhood system and the rat-  
24 ings of the programs in which the child is en-  
25 rolled;

1           “(F) provide, to the maximum extent prac-  
2           ticable, financial incentives and other supports  
3           designed to expand the full diversity of child  
4           care options and help child care providers im-  
5           prove the quality of services; and

6           “(G) accommodate a variety of distinctive  
7           approaches to early childhood education and  
8           care, including but not limited to, those prac-  
9           ticed in faith-based settings, community-based  
10          settings, child-centered settings, or similar set-  
11          tings that offer a distinctive approach to early  
12          childhood development.

13          “(4) Improving the supply and quality of child  
14          care programs and services for infants and toddlers  
15          through activities, which may include—

16                 “(A) establishing or expanding high-quality  
17                 community or neighborhood-based family and  
18                 child development centers, which may serve as  
19                 resources to child care providers in order to im-  
20                 prove the quality of early childhood services  
21                 provided to infants and toddlers from low-in-  
22                 come families and to help eligible child care  
23                 providers improve their capacity to offer high-  
24                 quality, age-appropriate care to infants and tod-  
25                 dlers from low-income families;

1           “(B) establishing or expanding the oper-  
2           ation of community or neighborhood-based fam-  
3           ily child care networks;

4           “(C) promoting and expanding child care  
5           providers’ ability to provide developmentally ap-  
6           propriate services for infants and toddlers  
7           through training and professional development;  
8           coaching and technical assistance on this age  
9           group’s unique needs from statewide networks  
10          of qualified infant-toddler specialists; and im-  
11          proved coordination with early intervention spe-  
12          cialists who provide services for infants and tod-  
13          dlers with disabilities under part C of the Indi-  
14          viduals with Disabilities Education Act (20  
15          U.S.C. 1431 et seq.);

16          “(D) if applicable, developing infant and  
17          toddler components within the State’s quality  
18          rating system described in paragraph (3) for  
19          child care providers for infants and toddlers, or  
20          the development of infant and toddler compo-  
21          nents in a State’s child care licensing regula-  
22          tions or early learning and development guide-  
23          lines;

24          “(E) improving the ability of parents to  
25          access transparent and easy to understand con-

1           sumer information about high-quality infant  
2           and toddler care; and

3           “(F) carrying out other activities deter-  
4           mined by the State to improve the quality of in-  
5           fant and toddler care provided in the State, and  
6           for which there is evidence that the activities  
7           will lead to improved infant and toddler health  
8           and safety, infant and toddler cognitive and  
9           physical development, or infant and toddler  
10          well-being, including providing health and safe-  
11          ty training (including training in safe sleep  
12          practices, first aid, and cardiopulmonary resus-  
13          citation) for providers and caregivers.

14          “(5) Establishing or expanding a statewide sys-  
15          tem of child care resource and referral services.

16          “(6) Facilitating compliance with State require-  
17          ments for inspection, monitoring, training, and  
18          health and safety, and with State licensing stand-  
19          ards.

20          “(7) Evaluating and assessing the quality and  
21          effectiveness of child care programs and services of-  
22          fered in the State, including evaluating how such  
23          programs positively impact children.

24          “(8) Supporting child care providers in the vol-  
25          untary pursuit of accreditation by a national accred-

1       iting body with demonstrated, valid, and reliable  
2       program standards of high quality.

3               “(9) Supporting State or local efforts to develop  
4       or adopt high-quality program standards relating to  
5       health, mental health, nutrition, physical activity,  
6       and physical development.

7               “(10) Carrying out other activities determined  
8       by the State to improve the quality of child care  
9       services provided in the State, and for which meas-  
10      urement of outcomes relating to improved provider  
11      preparedness, child safety, child well-being, or entry  
12      to kindergarten is possible.

13              “(c) CERTIFICATION.—Beginning with fiscal year  
14      2016, at the beginning of each fiscal year, the State shall  
15      annually submit to the Secretary a certification containing  
16      an assurance that the State was in compliance with sub-  
17      section (a) during the preceding fiscal year and a descrip-  
18      tion of how the State used funds received under this sub-  
19      chapter to comply with subsection (a) during that pre-  
20      ceding fiscal year.

21              “(d) REPORTING REQUIREMENTS.—Each State re-  
22      ceiving funds under this subchapter shall prepare and sub-  
23      mit an annual report to the Secretary, which shall include  
24      information about—



1           “(1) the amount of funds that are reserved  
2           under subsection (a);

3           “(2) the activities carried out under this sec-  
4           tion; and

5           “(3) the measures that the State will use to  
6           evaluate the State’s progress in improving the qual-  
7           ity of child care programs and services in the State.

8           “(e) TECHNICAL ASSISTANCE.—The Secretary shall  
9           offer technical assistance, in accordance with section  
10          658I(a)(3), which may include technical assistance  
11          through the use of grants or cooperative agreements, to  
12          States for the activities described in subsection (b) at the  
13          request of the State.

14          “(f) CONSTRUCTION.—Nothing in this section shall  
15          be construed as providing the Secretary the authority to  
16          regulate, direct, dictate, or place conditions (outside of  
17          what is required by this subchapter) on a State adopting  
18          specific State child care quality activities or progress in  
19          implementing those activities.”.

20          **SEC. 7. CRIMINAL BACKGROUND CHECKS.**

21          The Child Care and Development Block Grant Act  
22          of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting  
23          after section 658G the following:

1 **“SEC. 658H. CRIMINAL BACKGROUND CHECKS.**

2 “(a) IN GENERAL.—A State that receives funds to  
3 carry out this subchapter shall have in effect—

4 “(1) requirements, policies, and procedures to  
5 require and conduct criminal background checks for  
6 child care staff members (including prospective child  
7 care staff members) of child care providers described  
8 in subsection (c)(1); and

9 “(2) licensing, regulation, and registration re-  
10 quirements, as applicable, that prohibit the employ-  
11 ment of child care staff members as described in  
12 subsection (c).

13 “(b) REQUIREMENTS.—A criminal background check  
14 for a child care staff member under subsection (a) shall  
15 include—

16 “(1) a search of the State criminal and sex of-  
17 fender registry or repository in the State where the  
18 child care staff member resides, and each State  
19 where such staff member resided during the pre-  
20 ceding 5 years;

21 “(2) a search of State-based child abuse and  
22 neglect registries and databases in the State where  
23 the child care staff member resides, and each State  
24 where such staff member resided during the pre-  
25 ceding 5 years;

1           “(3) a search of the National Crime Informa-  
2           tion Center;

3           “(4) a Federal Bureau of Investigation finger-  
4           print check using the Integrated Automated Finger-  
5           print Identification System; and

6           “(5) a search of the National Sex Offender  
7           Registry established under the Adam Walsh Child  
8           Protection and Safety Act of 2006 (42 U.S.C.  
9           16901 et seq.).

10          “(c) PROHIBITIONS.—

11           “(1) CHILD CARE STAFF MEMBERS.—A child  
12           care staff member shall be ineligible for employment  
13           by a child care provider that is receiving assistance  
14           under this subchapter if such individual—

15           “(A) refuses to consent to the criminal  
16           background check described in subsection (b);

17           “(B) knowingly makes a materially false  
18           statement in connection with such criminal  
19           background check;

20           “(C) is registered, or is required to be reg-  
21           istered, on a State sex offender registry or re-  
22           pository or the National Sex Offender Registry  
23           established under the Adam Walsh Child Pro-  
24           tection and Safety Act of 2006 (42 U.S.C.  
25           16901 et seq.); or

1           “(D) has been convicted of a felony con-  
2           sisting of—

3                   “(i) murder, as described in section  
4                   1111 of title 18, United States Code;

5                   “(ii) child abuse or neglect;

6                   “(iii) a crime against children, includ-  
7                   ing child pornography;

8                   “(iv) spousal abuse;

9                   “(v) a crime involving rape or sexual  
10                  assault;

11                  “(vi) kidnapping;

12                  “(vii) arson;

13                  “(viii) physical assault or battery; or

14                  “(ix) subject to subsection (e)(4), a  
15                  drug-related offense committed during the  
16                  preceding 5 years; or

17           “(E) has been convicted of a violent mis-  
18           demeanor committed as an adult against a  
19           child, including the following crimes: child  
20           abuse, child endangerment, sexual assault, or of  
21           a misdemeanor involving child pornography.

22           “(2) CHILD CARE PROVIDERS.—A child care  
23           provider described in subsection (i)(1) shall be ineli-  
24           gible for assistance provided in accordance with this  
25           subchapter if the provider employs a staff member

1 who is ineligible for employment under paragraph  
2 (1).

3 “(d) SUBMISSION OF REQUESTS FOR BACKGROUND  
4 CHECKS.—

5 “(1) IN GENERAL.—A child care provider cov-  
6 ered by subsection (c) shall submit a request, to the  
7 appropriate State agency designated by a State, for  
8 a criminal background check described in subsection  
9 (b), for each child care staff member (including pro-  
10 spective child care staff members) of the provider.

11 “(2) STAFF MEMBERS.—Subject to paragraph  
12 (4), in the case of an individual who became a child  
13 care staff member before the date of enactment of  
14 the Child Care and Development Block Grant Act of  
15 2014, the provider shall submit such a request—

16 “(A) prior to the last day described in sub-  
17 section (j)(1); and

18 “(B) not less often than once during each  
19 5-year period following the first submission date  
20 under this paragraph for that staff member.

21 “(3) PROSPECTIVE STAFF MEMBERS.—Subject  
22 to paragraph (4), in the case of an individual who  
23 is a prospective child care staff member on or after  
24 that date of enactment, the provider shall submit  
25 such a request—

1           “(A) prior to the date the individual be-  
2 comes a child care staff member of the pro-  
3 vider; and

4           “(B) not less than once during each 5-year  
5 period following the first submission date under  
6 this paragraph for that staff member.

7           “(4) BACKGROUND CHECK FOR ANOTHER  
8 CHILD CARE PROVIDER.—A child care provider shall  
9 not be required to submit a request under paragraph  
10 (2) or (3) for a child care staff member if—

11           “(A) the staff member received a back-  
12 ground check described in subsection (b)—

13           “(i) within 5 years before the latest  
14 date on which such a submission may be  
15 made; and

16           “(ii) while employed by or seeking em-  
17 ployment by another child care provider  
18 within the State;

19           “(B) the State provided to the first pro-  
20 vider a qualifying background check result, con-  
21 sistent with this subchapter, for the staff mem-  
22 ber; and

23           “(C) the staff member is employed by a  
24 child care provider within the State, or has  
25 been separated from employment from a child

1 care provider within the State for a period of  
2 not more than 180 consecutive days.

3 “(e) BACKGROUND CHECK RESULTS AND AP-  
4 PEALS.—

5 “(1) BACKGROUND CHECK RESULTS.—The  
6 State shall carry out the request of a child care pro-  
7 vider for a criminal background check as expedi-  
8 tiously as possible, but not to exceed 45 days after  
9 the date on which such request was submitted, and  
10 shall provide the results of the criminal background  
11 check to such provider and to the current or pro-  
12 spective staff member.

13 “(2) PRIVACY.—

14 “(A) IN GENERAL.—The State shall pro-  
15 vide the results of the criminal background  
16 check to the provider in a statement that indi-  
17 cates whether a child care staff member (in-  
18 cluding a prospective child care staff member)  
19 is eligible or ineligible for employment described  
20 in subsection (c), without revealing any dis-  
21 qualifying crime or other related information  
22 regarding the individual.

23 “(B) INELIGIBLE STAFF MEMBER.—If the  
24 child care staff member is ineligible for such  
25 employment due to the background check, the

1 State will, when providing the results of the  
2 background check, include information related  
3 to each disqualifying crime, in a report to the  
4 staff member or prospective staff member.

5 “(C) PUBLIC RELEASE OF RESULTS.—No  
6 State shall publicly release or share the results  
7 of individual background checks, except States  
8 may release aggregated data by crime as listed  
9 under subsection (c)(1)(D) from background  
10 check results, as long as such data is not per-  
11 sonally identifiable information.

12 “(3) APPEALS.—

13 “(A) IN GENERAL.—The State shall pro-  
14 vide for a process by which a child care staff  
15 member (including a prospective child care staff  
16 member) may appeal the results of a criminal  
17 background check conducted under this section  
18 to challenge the accuracy or completeness of the  
19 information contained in such member’s crimi-  
20 nal background report.

21 “(B) APPEALS PROCESS.—The State shall  
22 ensure that—

23 “(i) each child care staff member shall  
24 be given notice of the opportunity to ap-  
25 peal;



1                   “(ii) a child care staff member will re-  
2                   ceive instructions about how to complete  
3                   the appeals process if the child care staff  
4                   member wishes to challenge the accuracy  
5                   or completeness of the information con-  
6                   tained in such member’s criminal back-  
7                   ground report; and

8                   “(iii) the appeals process is completed  
9                   in a timely manner for each child care  
10                  staff member.

11               “(4) REVIEW.—The State may allow for a re-  
12               view process through which the State may determine  
13               that a child care staff member (including a prospec-  
14               tive child care staff member) disqualified for a crime  
15               specified in subsection (c)(1)(D)(ix) is eligible for  
16               employment described in subsection (c)(1), notwith-  
17               standing subsection (c). The review process shall be  
18               consistent with title VII of the Civil Rights Act of  
19               1964 (42 U.S.C. 2000e et seq.).

20               “(5) NO PRIVATE RIGHT OF ACTION.—Nothing  
21               in this section shall be construed to create a private  
22               right of action if a provider has acted in accordance  
23               with this section.

24               “(f) FEES FOR BACKGROUND CHECKS.—Fees that a  
25               State may charge for the costs of processing applications

1 and administering a criminal background check as re-  
2 quired by this section shall not exceed the actual costs to  
3 the State for the processing and administration.

4 “(g) TRANSPARENCY.—The State must ensure that  
5 the policies and procedures under section 658H are pub-  
6 lished on the Web site (or otherwise publicly available  
7 venue in the absence of a Web site) of the State and the  
8 Web sites of local lead agencies.

9 “(h) CONSTRUCTION.—

10 “(1) DISQUALIFICATION FOR OTHER CRIMES.—  
11 Nothing in this section shall be construed to prevent  
12 a State from disqualifying individuals as child care  
13 staff members based on their conviction for crimes  
14 not specifically listed in this section that bear upon  
15 the fitness of an individual to provide care for and  
16 have responsibility for the safety and well-being of  
17 children.

18 “(2) RIGHTS AND REMEDIES.—Nothing in this  
19 section shall be construed to alter or otherwise affect  
20 the rights and remedies provided for child care staff  
21 members residing in a State that disqualifies individ-  
22 uals as child care staff members for crimes not spe-  
23 cifically provided for under this section.

24 “(i) DEFINITIONS.—In this section—

1           “(1) the term ‘child care provider’ means a cen-  
2           ter-based child care provider, a family child care  
3           provider, or another provider of child care services  
4           for compensation and on a regular basis that—

5                   “(A) is not an individual who is related to  
6                   all children for whom child care services are  
7                   provided; and

8                   “(B) is licensed, regulated, or registered  
9                   under State law or receives assistance provided  
10                  under this subchapter; and

11           “(2) the term ‘child care staff member’ means  
12           an individual (other than an individual who is re-  
13           lated to all children for whom child care services are  
14           provided)—

15                   “(A) who is employed by a child care pro-  
16                   vider for compensation; or

17                   “(B) whose activities involve the care or  
18                   supervision of children for a child care provider  
19                   or unsupervised access to children who are  
20                   cared for or supervised by a child care provider.

21           “(j) EFFECTIVE DATE.—

22                   “(1) IN GENERAL.—A State that receives funds  
23                   under this subchapter shall meet the requirements of  
24                   this section for the provision of criminal background  
25                   checks for child care staff members described in sub-

1 section (d)(1) not later than the last day of the sec-  
2 ond full fiscal year after the date of enactment of  
3 the Child Care and Development Block Grant Act of  
4 2014.

5 “(2) EXTENSION.—The Secretary may grant a  
6 State an extension of time, of not more than 1 fiscal  
7 year, to meet the requirements of this section if the  
8 State demonstrates a good faith effort to comply  
9 with the requirements of this section.

10 “(3) PENALTY FOR NONCOMPLIANCE.—Except  
11 as provided in paragraphs (1) and (2), for any fiscal  
12 year that a State fails to comply substantially with  
13 the requirements of this section, the Secretary shall  
14 withhold 5 percent of the funds that would otherwise  
15 be allocated to that State in accordance with this  
16 subchapter for the following fiscal year.”.

17 **SEC. 8. REPORTS AND INFORMATION.**

18 (a) ADMINISTRATION.—Section 658I(a) of the Child  
19 Care and Development Block Grant Act of 1990 (42  
20 U.S.C. 9858g(a)) is amended—

21 (1) in paragraph (2)—

22 (A) by inserting a comma after “publish”;

23 and

24 (B) by striking “and” at the end;

1           (2) by striking paragraph (3) and inserting the  
2 following:

3           “(3) provide technical assistance, such as busi-  
4 ness technical assistance, as described in section  
5 658E(c)(2)(V), to States (which may include pro-  
6 viding assistance on a reimbursable basis) which  
7 shall be provided by qualified experts on practices  
8 grounded in scientifically valid research, where ap-  
9 propriate, to carry out this subchapter;” and

10           (3) by adding at the end the following:

11           “(4) disseminate, for voluntary informational  
12 purposes, information on practices that scientifically  
13 valid research indicates are most successful in im-  
14 proving the quality of programs that receive assist-  
15 ance with this subchapter; and

16           “(5) after consultation with the heads of any  
17 other Federal agencies involved, issue guidance and  
18 disseminate information on best practices regarding  
19 the use of funding combined by States as described  
20 in section 658E(c)(2)(O)(ii), consistent with laws  
21 other than this subchapter.”.

22           (b) REQUEST FOR RELIEF.—Section 658I of the  
23 Child Care and Development Block Grant Act of 1990 (42  
24 U.S.C. 9858g), as amended by subsection (a), is further  
25 amended by adding at the end of the following:

1       “(c) REQUEST FOR RELIEF.—

2               “(1) IN GENERAL.—The Secretary may waive  
3 for a period of not more than three years any provi-  
4 sion under this subchapter or sanctions imposed  
5 upon a State in accordance with subsection (b)(2)  
6 upon the State’s request for such a waiver if the  
7 Secretary finds that—

8               “(A) the request describes one or more  
9 conflicting or duplicative requirements pre-  
10 venting the effective delivery of child care serv-  
11 ices to justify a waiver, extraordinary cir-  
12 cumstances, such as natural disaster or finan-  
13 cial crisis, or an extended period of time for a  
14 State legislature to enact legislation to imple-  
15 ment the provisions of this subchapter;

16               “(B) such circumstances included in the  
17 request prevent the State from complying with  
18 any statutory or regulatory requirements of this  
19 subchapter;

20               “(C) the waiver will, by itself, contribute to  
21 or enhance the State’s ability to carry out the  
22 purposes of this subchapter; and,

23               “(D) the waiver will not contribute to in-  
24 consistency with the objectives of this law.

1           “(2) CONTENTS.—Such request shall be pro-  
2           vided to the Secretary in writing and will—

3           “(A) detail each sanction or provision with-  
4           in this subchapter that the State seeks relief  
5           from;

6           “(B) describe how a waiver from that  
7           sanction or provision of this subchapter will, by  
8           itself, improve delivery of child care services for  
9           children in the State; and

10          “(C) certify that the health, safety, and  
11          well-being of children served through assistance  
12          received under this subchapter will not be com-  
13          promised as a result of the waiver.

14          “(3) APPROVAL.—Within 90 days after the re-  
15          ceipt of a State’s request under this subsection, the  
16          Secretary shall inform the State of approval or dis-  
17          approval of the request. If the plan is disapproved,  
18          the Secretary shall, at this time, inform the State,  
19          the Committee on Education and the Workforce of  
20          the House of Representatives, and the Committee on  
21          Health, Education, Labor, and Pensions of the Sen-  
22          ate of the reasons for the disapproval and give the  
23          State the opportunity to amend the request. In the  
24          case of approval, the Secretary shall, within 30 days  
25          of granting such waiver, notify and submit a report

1 to the Committee on Education and the Workforce  
2 of the House of Representatives and the Committee  
3 on Health, Education, Labor, and Pensions of the  
4 Senate on the circumstances of the waiver including  
5 each specific sanction or provision waived, the rea-  
6 son as given by the State of the need for a waiver,  
7 and the expected impact of the waiver on children  
8 served under this program.

9 “(4) EXTERNAL CONDITIONS.—The Secretary  
10 shall not require or impose any new or additional re-  
11 quirements in exchange for receipt of a waiver if  
12 such requirements are not specified in this sub-  
13 chapter.

14 “(5) DURATION.—The Secretary may approve a  
15 request under this subsection for a period not to ex-  
16 ceed three years, unless a renewal is granted under  
17 paragraph (7).

18 “(6) TERMINATION.—The Secretary shall ter-  
19 minate approval of a request for a waiver authorized  
20 under this subsection if the Secretary determines,  
21 after notice and opportunity for a hearing, that the  
22 performance of a State granted relief under this  
23 subsection has been inadequate, or if such relief is  
24 no longer necessary to achieve its original purposes.



1           “(7) RENEWAL.—The Secretary may approve  
2           or disapprove a request from a State for renewal of  
3           an existing waiver under this subchapter for a period  
4           no longer than one year. A State seeking to renew  
5           their waiver approval must inform the Secretary of  
6           this intent no later than 30 days prior to the expira-  
7           tion date of the waiver. The State shall re-certify in  
8           its extension request the provisions in paragraph (2)  
9           of this subchapter, and shall also explain the need  
10          for additional time of relief from such sanction(s) or  
11          provisions approved under this law as provided in  
12          this subchapter.

13          “(8) RESTRICTIONS.—Nothing in this sub-  
14          chapter shall be construed as providing the Sec-  
15          retary the authority to permit States to alter the eli-  
16          gibility requirements for eligible children, including  
17          work requirements, job training, or educational pro-  
18          gram participation, that apply to the parents of eli-  
19          gible children under this subchapter. Nothing in this  
20          subsection shall be construed to allow the Secretary  
21          to waive anything related to his or her authority  
22          under this subchapter.”.

23          (c) REPORTS.—Section 658K(a) of the Child Care  
24          and Development Block Grant Act of 1990 (42 U.S.C.  
25          9858i(a)) is amended—

1 (1) in paragraph (1)(B)—

2 (A) in clause (ix), by striking “and” at the  
3 end;

4 (B) in clause (x), by striking the semicolon  
5 at the end and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(xi) whether the children receiving  
8 assistance under this subchapter are home-  
9 less children;” and

10 (2) in paragraph (2)—

11 (A) in the matter preceding subparagraph  
12 (A), by striking “December 31, 1997” and all  
13 that follows through “thereafter”, and inserting  
14 “1 year after the date of the enactment of the  
15 Child Care and Development Block Grant Act  
16 of 2014, and annually thereafter,”;

17 (B) in subparagraph (A), by striking “sec-  
18 tion 658P(5)” and inserting “section 658P(6)”;

19 (C) in subparagraph (E) by striking the  
20 period at the end and inserting “; and”; and

21 (D) by adding at the end the following:

22 “(F) the number of child fatalities occur-  
23 ring among children while in the care and facil-  
24 ity of child care providers receiving assistance  
25 under this subchapter, listed by type of child

1 care provider and indicating whether the pro-  
2 viders (excluding child care providers described  
3 in section 658P(6)(B)) are licensed or license-  
4 exempt.”.

5 (d) REPORT BY SECRETARY.—Section 658L of the  
6 Child Care and Development Block Grant Act of 1990 (42  
7 U.S.C. 9858j) is amended—

8 (1) by striking the section heading and insert-  
9 ing the following:

10 **“SEC. 658L. REPORTS, HOTLINE, AND WEB SITE.”;**

11 (2) by striking “Not later” and inserting the  
12 following:

13 “(a) REPORT BY SECRETARY.—Not later”;

14 (3) by striking “1998” and inserting “2016”;

15 (4) by striking “to the Committee” and all that  
16 follows through “of the Senate” and inserting “to  
17 the Committee on Education and the Workforce of  
18 the House of Representatives and the Committee on  
19 Health, Education, Labor, and Pensions of the Sen-  
20 ate”;

21 (5) by inserting after “States.” the following:

22 “Such report shall contain a determination around wheth-  
23 er each State that uses amounts provided under this sub-  
24 chapter has complied with the priority for services de-

1 scribed in sections 658E(c)(2)(Q) and 658E(c)(3)(B).”;

2 and

3 (6) by adding at the end the following:

4 “(b) NATIONAL TOLL-FREE HOTLINE AND WEB

5 SITE.—

6 “(1) IN GENERAL.—The Secretary shall oper-

7 ate, directly or through the use of grants or con-

8 tracts, a national toll-free hotline and Web site, to—

9 “(A) develop and disseminate publicly

10 available child care consumer education infor-

11 mation for parents and help parents access safe

12 and quality child care services in their commu-

13 nity, with a range of price options, that best

14 suits their family’s needs; and

15 “(B) to allow persons to report (anony-

16 mously if desired) suspected child abuse or ne-

17 glect, or violations of health and safety require-

18 ments, by an eligible child care provider that re-

19 ceives assistance under this subchapter or a

20 member of the provider’s staff.

21 “(2) REQUIREMENTS.—The Secretary shall en-

22 sure that the hotline and Web site meet the fol-

23 lowing requirements:

24 “(A) REFERRAL TO LOCAL CHILD CARE

25 PROVIDERS.—The Web site shall be hosted by

1           ‘childcare.gov’. The Web site shall enable a  
2           child care consumer to enter a zip code and ob-  
3           tain a referral to local child care providers de-  
4           scribed in subparagraph (B) within a specified  
5           search radius.

6           “(B) INFORMATION.—The Web site shall  
7           provide to consumers, directly or through link-  
8           ages to State databases, at a minimum—

9                   “(i) a localized list of all eligible child  
10                  care providers, differentiating between li-  
11                  censed and license-exempt providers;

12                   “(ii) any provider-specific information  
13                  from a Quality Rating and Improvement  
14                  System or information about other quality  
15                  indicators, to the extent the information is  
16                  publicly available and to the extent prac-  
17                  ticable;

18                   “(iii) any other provider-specific infor-  
19                  mation about compliance with licensing,  
20                  and health and safety requirements to the  
21                  extent the information is publicly available  
22                  and to the extent practicable;

23                   “(iv) referrals to local resource and  
24                  referral organizations from which con-

1           sumers can find more information about  
2           child care providers; and

3                   “(v) State information about child  
4           care subsidy programs and other financial  
5           supports available to families.

6                   “(C) NATIONWIDE CAPACITY.—The Web  
7           site and hotline shall have the capacity to help  
8           families in every State and community in the  
9           Nation.

10                   “(D) INFORMATION AT ALL HOURS.—The  
11           Web site shall provide, to parents and families,  
12           access to information about child care services  
13           24 hours a day.

14                   “(E) SERVICES IN DIFFERENT LAN-  
15           GUAGES.—The Web site and hotline shall en-  
16           sure the widest possible access to services for  
17           families who speak languages other than  
18           English.

19                   “(F) HIGH-QUALITY CONSUMER EDU-  
20           CATION AND REFERRAL.—The Web site and  
21           hotline shall ensure that families have access to  
22           easy-to-understand child care consumer edu-  
23           cation and referral services.

24                   “(3) PROHIBITION.—Nothing in this subsection  
25           shall be construed to allow the Secretary to compel

1 States to provide additional data and information  
2 that is currently (as of the date of enactment of the  
3 Child Care and Development Block Grant Act of  
4 2014) not publicly available, or is not required by  
5 this subchapter, unless such additional data are re-  
6 lated to the purposes and scope of this subchapter,  
7 and are subject to a notice and comment period of  
8 no less than 90 days.”.

9 (e) PROTECTION OF INFORMATION.—Section  
10 658K(a)(1) of the Child Care and Development Block  
11 Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended  
12 by adding at the end the following:

13 “(E) PROHIBITION.—Reports submitted to  
14 the Secretary under subparagraph (C) shall not  
15 contain personally identifiable information.”.

16 **SEC. 9. RESERVATION FOR TOLL-FREE HOTLINE AND WEB**  
17 **SITE; PAYMENTS TO BENEFIT INDIAN CHIL-**  
18 **DREN; TECHNICAL ASSISTANCE AND EVALUA-**  
19 **TION.**

20 Section 658O of the Child Care and Development  
21 Block Grant Act of 1990 (42 U.S.C. 9858m) is amend-  
22 ed—

23 (1) in subsection (a)—

24 (A) in paragraph (2)—

1 (i) by striking “The Secretary” and  
2 inserting the following:

3 “(A) IN GENERAL.—The Secretary”;

4 (ii) by striking “1 percent, and not  
5 more than 2 percent,” and inserting “2  
6 percent”; and

7 (iii) by adding at the end the fol-  
8 lowing:

9 “(B) LIMITATIONS.—Notwithstanding sub-  
10 paragraph (A), the Secretary shall only reserve  
11 an amount that is greater than 2 percent of the  
12 amount appropriated under section 658B, for  
13 payments described in subparagraph (A), for a  
14 fiscal year (referred to in this subparagraph as  
15 the ‘reservation year’) if —

16 “(i) the amount appropriated under  
17 section 658B for the reservation year is  
18 greater than the amount appropriated  
19 under section 658B for fiscal year 2014;  
20 and

21 “(ii) the Secretary ensures that the  
22 amount allotted to States under subsection  
23 (b) for the reservation year is not less than  
24 the amount allotted to States under sub-  
25 section (b) for fiscal year 2014.”; and



1 (B) by adding at the end the following:

2 “(3) NATIONAL TOLL-FREE HOTLINE AND WEB  
3 SITE.—The Secretary shall reserve up to \$1,500,000  
4 of the amount appropriated under this subchapter  
5 for each fiscal year for the operation of a national  
6 toll-free hotline and Web site, under section  
7 658L(b).

8 “(4) TECHNICAL ASSISTANCE.—The Secretary  
9 shall reserve up to ½ of 1 percent of the amount ap-  
10 propriated under this subchapter for each fiscal year  
11 to support technical assistance and dissemination ac-  
12 tivities under paragraphs (3) and (4) of section  
13 658I(a).

14 “(5) RESEARCH, DEMONSTRATION, AND EVAL-  
15 UATION.—The Secretary may reserve ½ of 1 per-  
16 cent of the amount appropriated under this sub-  
17 chapter for each fiscal year to conduct research and  
18 demonstration activities, as well as periodic external,  
19 independent evaluations of the impact of the pro-  
20 gram described by this subchapter on increasing ac-  
21 cess to child care services and improving the safety  
22 and quality of child care services, using scientifically  
23 valid research methodologies, and to disseminate the  
24 key findings of those evaluations widely and on a  
25 timely basis.”; and

1 (2) in subsection (c)—

2 (A) in paragraph (2), by adding at the end  
3 the following:

4 “(D) LICENSING AND STANDARDS.—In  
5 lieu of any licensing and regulatory require-  
6 ments applicable under State or local law, the  
7 Secretary, in consultation with Indian tribes  
8 and tribal organizations, shall develop minimum  
9 child care standards that shall be applicable to  
10 Indian tribes and tribal organizations receiving  
11 assistance under this subchapter. Such stand-  
12 ards shall appropriately reflect Indian tribe and  
13 tribal organization needs and available re-  
14 sources, and shall include standards requiring a  
15 publicly available application, health and safety  
16 standards, and standards requiring a reserva-  
17 tion of funds for activities to improve the qual-  
18 ity of child care services provided to Indian chil-  
19 dren.”; and

20 (B) in paragraph (6), by striking subpara-  
21 graph (C) and inserting the following:

22 “(C) LIMITATION.—

23 “(i) IN GENERAL.—Except as pro-  
24 vided in clause (ii), the Secretary may not  
25 permit an Indian tribe or tribal organiza-

1                   tion to use amounts provided under this  
2                   subsection for construction or renovation if  
3                   the use will result in a decrease in the level  
4                   of child care services provided by the In-  
5                   dian tribe or tribal organization as com-  
6                   pared to the level of child care services  
7                   provided by the Indian tribe or tribal orga-  
8                   nization in the fiscal year preceding the  
9                   year for which the determination under  
10                  subparagraph (B) is being made.

11                  “(ii) WAIVER.—The Secretary shall  
12                  waive the limitation described in clause (i)  
13                  if—

14                         “(I) the Secretary determines  
15                         that the decrease in the level of child  
16                         care services provided by the Indian  
17                         tribe or tribal organization is tem-  
18                         porary; and

19                         “(II) the Indian tribe or tribal  
20                         organization submits to the Secretary  
21                         a plan that demonstrates that after  
22                         the date on which the construction or  
23                         renovation is completed—

24                                 “(aa) the level of child care  
25                                 services will increase; or

1                                   “(bb) the quality of child  
2                                   care services will improve.”.

3 **SEC. 10. DEFINITIONS.**

4       Section 658P of the Child Care and Development  
5 Block Grant Act of 1990 (42 U.S.C. 9858n) is amended—

6                   (1) by striking paragraph (4) and inserting the  
7       following:

8                   “(3) CHILD WITH A DISABILITY.—The term  
9       ‘child with a disability’ means—

10                                   “(A) a child with a disability, as defined in  
11                                   section 602 of the Individuals with Disabilities  
12                                   Education Act (20 U.S.C. 1401);

13                                   “(B) a child who is eligible for early inter-  
14                                   vention services under part C of the Individuals  
15                                   with Disabilities Education Act (20 U.S.C.  
16                                   1431 et seq.);

17                                   “(C) a child who is less than 13 years of  
18                                   age and who is eligible for services under sec-  
19                                   tion 504 of the Rehabilitation Act of 1973 (29  
20                                   U.S.C. 794); and

21                                   “(D) a child with a disability, as defined  
22                                   by the State involved.

23                   “(4) ELIGIBLE CHILD.—The term ‘eligible  
24       child’ means an individual—

25                                   “(A) who is less than 13 years of age;

1           “(B) whose family income does not exceed  
2           85 percent of the State median income for a  
3           family of the same size, and whose family assets  
4           do not exceed \$1,000,000 (as certified by a  
5           member of such family); and

6           “(C) who—

7                   “(i) resides with a parent or parents  
8                   who are working or attending a job train-  
9                   ing or educational program; or

10                   “(ii) is receiving, or needs to receive,  
11                   protective services and resides with a par-  
12                   ent or parents not described in clause (i).”;

13           (2) by redesignating paragraphs (5) through  
14           (9) as paragraphs (6) through (10), respectively;

15           (3) by inserting after paragraph (4), the fol-  
16           lowing:

17                   “(5) ENGLISH LEARNER.—The term ‘English  
18                   learner’ means an individual who is limited English  
19                   proficient, as defined in section 9101 of the Elemen-  
20                   tary and Secondary Education Act of 1965 (20  
21                   U.S.C. 7801) or section 637 of the Head Start Act  
22                   (42 U.S.C. 9832).”;

23           (4) in paragraph (6)(A), as redesignated by  
24           paragraph (2)—

1 (A) in clause (i), by striking “section  
2 658E(c)(2)(E)” and inserting “section  
3 658E(c)(2)(F)”; and

4 (B) in clause (ii), by striking “section  
5 658E(c)(2)(F)” and inserting “section  
6 658E(c)(2)(I)”;

7 (5) in paragraph (9), as redesignated by para-  
8 graph (2), by striking “designated” and all that fol-  
9 lows and inserting “designated or established under  
10 section 658D(a).”;

11 (6) in paragraph (10), as redesignated by para-  
12 graph (2), by inserting “, foster parent,” after  
13 “guardian”;

14 (7) by redesignating paragraphs (11) through  
15 (14) as paragraphs (12) through (15), respectively;  
16 and

17 (8) by inserting after paragraph (10), as redesi-  
18 gnated by paragraph (2), the following:

19 “(11) SCIENTIFICALLY VALID RESEARCH.—The  
20 term ‘scientifically valid research’ includes applied  
21 research, basic research, and field-initiated research,  
22 for which the rationale, design, and interpretation  
23 are soundly developed in accordance with principles  
24 of scientific research.”.

1 **SEC. 11. PARENTAL RIGHTS AND RESPONSIBILITIES.**

2 Section 658Q of the Child Care and Development  
3 Block Grant Act of 1990 (42 U.S.C. 9858o) is amended—

4 (1) by inserting before “Nothing” the following:

5 “(a) IN GENERAL.—”; and

6 (2) by adding at the end the following:

7 “(b) PARENTAL RIGHTS TO USE CHILD CARE CER-  
8 TIFICATES.—Nothing in this subchapter shall be con-  
9 strued in a manner—

10 “(1) to favor or promote the use of grants and  
11 contracts for the receipt of child care services under  
12 this subchapter over the use of child care certifi-  
13 cates; or

14 “(2) to disfavor or discourage the use of such  
15 certificates for the purchase of child care services,  
16 including those services provided by private or non-  
17 profit entities, such as faith-based providers.”.

18 **SEC. 12. STUDIES ON WAITING LISTS.**

19 (a) STUDY.—The Comptroller General of the United  
20 States shall conduct studies to determine, for each State,  
21 the number of families that—

22 (1) are eligible to receive assistance under the  
23 Child Care and Development Block Grant Act of  
24 1990 (42 U.S.C. 9858 et seq.);

25 (2) have applied for the assistance, identified by  
26 the type of assistance requested; and

1           (3) have been placed on a waiting list for the  
2           assistance.

3           (b) REPORT.—The Comptroller General shall prepare  
4 a report containing the results of each study and shall sub-  
5 mit the report to the Committee on Health, Education,  
6 Labor and Pensions of the Senate, and the Committee on  
7 Education and the Workforce of the House of Representa-  
8 tives—

9           (1) not later than 2 years after the date of en-  
10          actment of this Act; and

11          (2) every 2 years thereafter.

12          (c) DEFINITION.—In this section, the term “State”  
13 has the meaning given the term in section 658P of the  
14 Child Care and Development Block Grant Act of 1990 (42  
15 U.S.C. 9858n).

16 **SEC. 13. REVIEW OF FEDERAL EARLY LEARNING AND CARE**  
17 **PROGRAMS.**

18          (a) IN GENERAL.—The Secretary of Health and  
19 Human Services, in conjunction with the Secretary of  
20 Education, shall conduct an interdepartmental review of  
21 all early learning and care programs for children less than  
22 6 years of age in order to—

23           (1) develop a plan for the elimination of over-  
24          lapping programs, as identified by the Government



1 Accountability Office's 2012 annual report (GAO-  
2 12-342SP); and

3 (2) make recommendations to Congress for  
4 streamlining all such programs.

5 (b) REPORT.—Not later than 1 year after the date  
6 of enactment of this Act, the Secretary of Health and  
7 Human Services, in consultation with the Secretary of  
8 Education and the heads of all Federal agencies that ad-  
9 minister Federal early learning and care programs, shall  
10 submit to the Committee on Health, Education, Labor,  
11 and Pensions of the Senate and the Committee on Edu-  
12 cation and the Workforce of the House of Representatives,  
13 a detailed report that outlines the efficiencies that can be  
14 achieved by, as well as specific recommendations for, elimi-  
15 nating overlap and fragmentation among all Federal early  
16 learning and care programs.

