

**Suspend the Rules and Pass the Bill, S. 1086, with An Amendment**  
**(The amendment strikes all after the enacting clause and inserts a  
new text)**

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1086

---

## AN ACT

To reauthorize and improve the Child Care and Development  
Block Grant Act of 1990, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

11 “(a) **SHORT TITLE.**—This subchapter may be cited  
12 as the ‘Child Care and Development Block Grant Act of  
13 1990’.

14 “(b) **PURPOSES.**—The purposes of this subchapter  
15 are—

1           “(1) to allow each State maximum flexibility in  
2           developing child care programs and policies that best  
3           suit the needs of children and parents within that  
4           State;

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

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

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

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

1           “(6) to improve child care and development of  
2           participating children; and

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

6 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

7           Section 658B of the Child Care and Development  
8           Block Grant Act of 1990 (42 U.S.C. 9858) is amended  
9           by striking “subchapter” and all that follows through the  
10          period at the end, and inserting “subchapter  
11          \$2,360,000,000 for fiscal year 2015, \$2,478,000,000 for  
12          fiscal year 2016, \$2,539,950,000 for fiscal year 2017,  
13          \$2,603,448,750 for fiscal year 2018, \$2,668,534,969 for  
14          fiscal year 2019, and \$2,748,591,018 for fiscal year  
15          2020.”.

16 **SEC. 4. LEAD AGENCY.**

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

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

22                 (2) by striking “designate” and all that follows  
23                 and inserting “designate an agency (which may be  
24                 an appropriate collaborative agency), or establish a  
25                 joint interagency office, that complies with the re-

1 requirements of subsection (b) to serve as the lead  
2 agency for the State under this subchapter.”.

3 (b) COLLABORATION WITH TRIBES.—Section  
4 658D(b)(1) of the Child Care and Development Block  
5 Grant Act of 1990 (42 U.S.C. 9858b(b)(1)) is amended—

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

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

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

11 “(E) at the option of an Indian tribe or  
12 tribal organization in the State, collaborate and  
13 coordinate with such Indian tribe or tribal orga-  
14 nization in the development of the State plan in  
15 a timely manner.”.

16 **SEC. 5. APPLICATION AND PLAN.**

17 (a) PERIOD.—Section 658E(b) of the Child Care and  
18 Development Block Grant Act of 1990 (42 U.S.C.  
19 9858c(b)) is amended by striking “2-year” and inserting  
20 “3-year”.

21 (b) POLICIES AND PROCEDURES.—Section 658E(c)  
22 of the Child Care and Development Block Grant Act of  
23 1990 (42 U.S.C. 9858c(c)) is amended—

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

1 (2) in paragraph (2)—

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

4 (B) by striking subparagraphs (D) through  
5 (H); and

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

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

1           “(E) CONSUMER AND PROVIDER EDU-  
2           CATION INFORMATION.—The plan shall include  
3           a certification that the State will collect and  
4           disseminate (which dissemination may be done,  
5           except as otherwise specified in this subpara-  
6           graph, through resource and referral organiza-  
7           tions or other means as determined by the  
8           State) to parents of eligible children, the gen-  
9           eral public, and, where applicable, providers—

10                   “(i) information about the availability  
11                   of the full diversity of child care services  
12                   that will promote informed child care  
13                   choices and that concerns—

14                           “(I) the availability of child care  
15                           services provided through programs  
16                           authorized by this subchapter and, if  
17                           feasible, other child care services and  
18                           other programs provided in the State  
19                           for which the family may be eligible,  
20                           as well as the availability of financial  
21                           assistance to obtain child care services  
22                           in the State;

23                                   “(II) if available, information  
24                                   about the quality of providers, as de-  
25                                   termined by the State, that can be

1 provided through a Quality Rating  
2 and Improvement System;

3 “(III) information, made avail-  
4 able through a State Web site, de-  
5 scribing the State process for licens-  
6 ing child care providers, the State  
7 processes for conducting background  
8 checks, and monitoring and inspec-  
9 tions, of child care providers, and the  
10 offenses that prevent individuals and  
11 entities from serving as child care  
12 providers in the State;

13 “(IV) other programs for which  
14 families that receive child care serv-  
15 ices for which financial assistance is  
16 provided under this subchapter may  
17 be eligible, including the program of  
18 block grants to States for temporary  
19 assistance for needy families estab-  
20 lished under part A of title IV of the  
21 Social Security Act (42 U.S.C. 601 et  
22 seq.), Head Start and Early Head  
23 Start programs carried out under the  
24 Head Start Act (42 U.S.C. 9831 et  
25 seq.), the program carried out under

1 the Low-Income Home Energy Assist-  
2 ance Act of 1981 (42 U.S.C. 8621 et  
3 seq.), the supplemental nutrition as-  
4 sistance program established under  
5 the Food and Nutrition Act of 2008  
6 (7 U.S.C. 2011 et seq.), the special  
7 supplemental nutrition program for  
8 women, infants, and children estab-  
9 lished under section 17 of the Child  
10 Nutrition Act of 1966 (42 U.S.C.  
11 1786), the child and adult care food  
12 program established under section 17  
13 of the Richard B. Russell National  
14 School Lunch Act (42 U.S.C. 1766),  
15 and the Medicaid and State children’s  
16 health insurance programs under ti-  
17 tles XIX and XXI of the Social Secu-  
18 rity Act (42 U.S.C. 1396 et seq.,  
19 1397aa et seq.);

20 “(V) programs carried out under  
21 section 619 and part C of the Individ-  
22 uals with Disabilities Education Act  
23 (20 U.S.C. 1419, 1431 et seq.);

24 “(VI) research and best practices  
25 concerning children’s development, in-



1 including social and emotional develop-  
2 ment, early childhood development,  
3 and meaningful parent and family en-  
4 gagement, and physical health and de-  
5 velopment (particularly healthy eating  
6 and physical activity); and

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

16 “(ii) information on developmental  
17 screenings, including—

18 “(I) information on existing (as  
19 of the date of submission of the appli-  
20 cation containing the plan) resources  
21 and services the State can deploy, in-  
22 cluding the coordinated use of the  
23 Early and Periodic Screening, Diag-  
24 nosis, and Treatment program under  
25 the Medicaid program carried out

1 under title XIX of the Social Security  
2 Act (42 U.S.C. 1396 et seq.) and de-  
3 velopmental screening services avail-  
4 able under section 619 and part C of  
5 the Individuals with Disabilities Edu-  
6 cation Act (20 U.S.C. 1419, 1431 et  
7 seq.), in conducting developmental  
8 screenings and providing referrals to  
9 services, when appropriate, for chil-  
10 dren who receive assistance under this  
11 subchapter; and

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

22 “(F) COMPLIANCE WITH STATE LICENSING  
23 REQUIREMENTS.—

24 “(i) IN GENERAL.—The plan shall in-  
25 clude a certification that the State involved

1 has in effect licensing requirements appli-  
2 cable to child care services provided within  
3 the State, and provide a detailed descrip-  
4 tion of such requirements and of how such  
5 requirements are effectively enforced.

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

17 “(G) TRAINING AND PROFESSIONAL DE-  
18 VELOPMENT REQUIREMENTS.—

19 “(i) IN GENERAL.—The plan shall de-  
20 scribe the training and professional devel-  
21 opment requirements that are in effect  
22 within the State designed to enable child  
23 care providers to promote the social, emo-  
24 tional, physical, and cognitive development  
25 of children and to improve the knowledge

1 and skills of the child care workforce. Such  
2 requirements shall be applicable to child  
3 care providers that provide services for  
4 which assistance is provided in accordance  
5 with this subchapter.

6 “(ii) REQUIREMENTS.—The plan shall  
7 provide an assurance that such training  
8 and professional development—

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

21 “(II) shall be developed in con-  
22 sultation with the State Advisory  
23 Council on Early Childhood Education  
24 and Care (designated or established  
25 pursuant to section 642B(b)(1)(A)(i)

1 of the Head Start Act (42 U.S.C.  
2 9837b(b)(1)(A)(i)), and may engage  
3 training providers in aligning training  
4 opportunities with the State’s training  
5 framework;

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

15 “(IV) shall be accessible to pro-  
16 viders supported through Indian  
17 tribes or tribal organizations that re-  
18 ceive assistance under this sub-  
19 chapter; and

20 “(V) to the extent practicable,  
21 are appropriate for a population of  
22 children that includes—

23 “(aa) different age groups;

24 “(bb) English learners;

1           “(cc) children with disabili-  
2           ties; and

3           “(dd) Native Americans, in-  
4           cluding Indians, as the term is  
5           defined in section 4 of the Indian  
6           Self-Determination and Edu-  
7           cation Assistance Act (25 U.S.C.  
8           450b) (including Alaska Natives  
9           within the meaning of that term),  
10          and Native Hawaiians (as de-  
11          fined in section 7207 of the Ele-  
12          mentary and Secondary Edu-  
13          cation Act of 1965 (20 U.S.C.  
14          7517)).

15          “(iii) INFORMATION.—The plan shall  
16          include the number of hours of training re-  
17          quired for eligible providers and caregivers  
18          to engage in annually, as determined by  
19          the State.

20          “(iv) CONSTRUCTION.—The Secretary  
21          shall not require an individual or entity  
22          that provides child care services for which  
23          assistance is provided in accordance with  
24          this subchapter to acquire a credential to  
25          provide such services. Nothing in this sec-

1                   tion shall be construed to prohibit a State  
2                   from requiring a credential.

3                   “(H) CHILD-TO-PROVIDER RATIO STAND-  
4                   ARDS.—

5                   “(i) STANDARDS.—The plan shall de-  
6                   scribe child care standards for child care  
7                   services for which assistance is made avail-  
8                   able in accordance with this subchapter,  
9                   appropriate to the type of child care set-  
10                  ting involved, to provide for the safety and  
11                  developmental needs of the children served,  
12                  that address—

13                         “(I) group size limits for specific  
14                         age populations, as determined by the  
15                         State;

16                         “(II) the appropriate ratio be-  
17                         tween the number of children and the  
18                         number of providers, in terms of the  
19                         age of the children in child care, as  
20                         determined by the State; and

21                         “(III) required qualifications for  
22                         such providers, as determined by the  
23                         State.

24                         “(ii) CONSTRUCTION.—The Secretary  
25                         may offer guidance to States on child-to-

1 provider ratios described in clause (i) ac-  
2 cording to setting and age group, but shall  
3 not require that the State maintain specific  
4 group size limits for specific age popu-  
5 lations or child-to-provider ratios for pro-  
6 viders who receive assistance in accordance  
7 with subchapter.

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

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

19 “(I) the prevention and control of  
20 infectious diseases (including immuni-  
21 zation) and the establishment of a  
22 grace period that allows homeless chil-  
23 dren and children in foster care to re-  
24 ceive services under this subchapter  
25 while their families (including foster



1 families) are taking any necessary ac-  
2 tion to comply with immunization and  
3 other health and safety requirements;

4 “(II) prevention of sudden infant  
5 death syndrome and use of safe sleep-  
6 ing practices;

7 “(III) the administration of  
8 medication, consistent with standards  
9 for parental consent;

10 “(IV) the prevention of and re-  
11 sponse to emergencies due to food and  
12 allergic reactions;

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

19 “(VI) prevention of shaken baby  
20 syndrome and abusive head trauma;

21 “(VII) emergency preparedness  
22 and response planning for emer-  
23 gencies resulting from a natural dis-  
24 aster, or a man-caused event (such as  
25 violence at a child care facility), with-

1 in the meaning of those terms under  
2 section 602(a)(1) of the Robert T.  
3 Stafford Disaster Relief and Emer-  
4 gency Assistance Act (42 U.S.C.  
5 5195a(a)(1));

6 “(VIII) the handling and storage  
7 of hazardous materials and the appro-  
8 priate disposal of biocontaminants;

9 “(IX) for providers that offer  
10 transportation, if applicable, appro-  
11 priate precautions in transporting  
12 children;

13 “(X) first aid and  
14 cardiopulmonary resuscitation; and

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

23 “(ii) may include requirements relat-  
24 ing to nutrition, access to physical activity,  
25 or any other subject area determined by

1           the State to be necessary to promote child  
2           development or to protect children’s health  
3           and safety.

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

13          “(K) ENFORCEMENT OF LICENSING AND  
14          OTHER REGULATORY REQUIREMENTS.—

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

1           “(I) ensure that individuals who  
2           are hired as licensing inspectors in the  
3           State are qualified to inspect those  
4           child care providers and facilities and  
5           have received training in related  
6           health and safety requirements, and  
7           are trained in all aspects of the  
8           State’s licensure requirements;

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

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

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

1 which shall include an inspection  
2 for compliance with health, safe-  
3 ty, and fire standards (inspectors  
4 may inspect for compliance with  
5 all 3 standards at the same  
6 time);

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

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

1 and fire standards, at a time to be de-  
2 termined by the State.

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

12 “(L) COMPLIANCE WITH CHILD ABUSE RE-  
13 PORTING REQUIREMENTS.—The plan shall in-  
14 clude a certification that child care providers  
15 within the State will comply with the child  
16 abuse reporting requirements of section  
17 106(b)(2)(B)(i) of the Child Abuse Prevention  
18 and Treatment Act (42 U.S.C.  
19 5106a(b)(2)(B)(i)).

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

1           ganizations, offering child care certificates to  
2           parents, or other means determined by the  
3           State) to increase the supply and improve the  
4           quality of child care services for—

5                   “(i) children in underserved areas;

6                   “(ii) infants and toddlers;

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

9                   “(iv) children who receive care during  
10          nontraditional hours.

11          “(N) PROTECTION FOR WORKING PAR-  
12          ENTS.—

13                   “(i) MINIMUM PERIOD.—

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

1 child's parent as working or attending  
2 a job training or educational program  
3 or a change in family income for the  
4 child's family, if that family income  
5 does not exceed 85 percent of the  
6 State median income for a family of  
7 the same size.

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

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



1           ignated local entity’s requirements for re-  
2           determination of eligibility for assistance  
3           provided in accordance with this sub-  
4           chapter.

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

21          “(iv) GRADUATED PHASEOUT OF  
22          CARE.—The plan shall describe the policies  
23          and procedures that are in place to allow  
24          for provision of continued assistance to  
25          carry out this subchapter, at the beginning

1 of a new eligibility period under clause  
2 (i)(I), for children of parents who are  
3 working or attending a job training or edu-  
4 cational program and whose family income  
5 exceeds the State's income limit to initially  
6 qualify for such assistance, if the family  
7 income for the family involved does not ex-  
8 ceed 85 percent of the State median in-  
9 come for a family of the same size.

10 “(O) COORDINATION WITH OTHER PRO-  
11 GRAMS.—

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

1 homeless children, and children in foster  
2 care.

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

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

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

1 quality of child care services for children who  
2 are less than 13 years of age, such as by imple-  
3 menting voluntary shared services alliance mod-  
4 els.

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

14 “(R) CONSULTATION.—The plan shall in-  
15 clude a certification that the State has devel-  
16 oped the plan in consultation with the State  
17 Advisory Council on Early Childhood Education  
18 and Care designated or established pursuant to  
19 section 642B(b)(1)(A)(i) of the Head Start Act  
20 (42 U.S.C. 9837b(b)(1)(A)(i)).

21 “(S) PAYMENT PRACTICES.—The plan  
22 shall include—

23 “(i) a certification that the payment  
24 practices of child care providers in the  
25 State that serve children who receive as-

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

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

17 “(T) EARLY LEARNING AND DEVELOP-  
18 MENTAL GUIDELINES.—

19 “(i) IN GENERAL.—The plan shall in-  
20 clude an assurance that the State will  
21 maintain or implement early learning and  
22 developmental guidelines (or develop such  
23 guidelines if the State does not have such  
24 guidelines as of the date of enactment of  
25 the Child Care and Development Block

1 Grant Act of 2014) that are appropriate  
2 for children from birth to kindergarten  
3 entry, describing what such children should  
4 know and be able to do, and covering the  
5 essential domains of early childhood devel-  
6 opment for use statewide by child care pro-  
7 viders. Such guidelines shall—

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

11 “(II) be implemented in consulta-  
12 tion with the state educational agency  
13 and the State Advisory Council on  
14 Early Childhood Education and Care  
15 (designated or established pursuant to  
16 section 642B(b)(I)(A)(i) of the Head  
17 Start Act (42 U.S.C.  
18 9837b(b)(1)(A)(i)); and

19 “(III) be updated as determined  
20 by the State.

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

1 to develop or implement an assessment for  
2 children that—

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

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

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

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

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

22 “(I) supporting learning or im-  
23 proving a classroom environment;

24 “(II) targeting professional devel-  
25 opment to a provider;

1                   “(III) determining the need for  
2 health, mental health, disability, de-  
3 velopmental delay, or family support  
4 services;

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

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

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

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

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



1           ing standards or measures that a  
2           State uses to establish, implement, or  
3           improve such guidelines, related ac-  
4           countability systems, or alignment of  
5           such guidelines with education stand-  
6           ards; or

7                       “(III) require a State to submit  
8                       such guidelines for review.

9           “(U) DISASTER PREPAREDNESS.—

10                   “(i) IN GENERAL.—The plan shall  
11                   demonstrate the manner in which the  
12                   State will address the needs of children in  
13                   child care services provided through pro-  
14                   grams authorized under this subchapter,  
15                   including the need for safe child care, for  
16                   the period before, during, and after a state  
17                   of emergency declared by the Governor or  
18                   a major disaster or emergency (as such  
19                   terms are defined in section 102 of the  
20                   Robert T. Stafford Disaster Relief and  
21                   Emergency Assistance Act (42 U.S.C.  
22                   5122)).

23                   “(ii) STATEWIDE CHILD CARE DIS-  
24                   ASTER PLAN.—Such plan shall include a  
25                   statewide child care disaster plan for co-

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

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

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

1                   dren with disabilities, and children  
2                   with chronic medical conditions;

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

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

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

20                  (3) in paragraph (3)—

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

24                   (B) in subparagraph (B)—

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

3 “(i) IN GENERAL.—The State”;

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

21 (iii) by adding at the end the fol-  
22 lowing:

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

1                   “(I) IN GENERAL.—Not later  
2 than September 30 of the first full fis-  
3 cal year after the date of enactment of  
4 the Child Care and Development  
5 Block Grant Act of 2014, and Sep-  
6 tember 30 of each fiscal year there-  
7 after, the Secretary (acting through  
8 the Assistant Secretary for Children  
9 and Families of the Department of  
10 Health and Human Services) shall  
11 prepare a report that contains a de-  
12 termination about whether each State  
13 uses amounts provided to such State  
14 for the fiscal year involved under this  
15 subchapter in accordance with the pri-  
16 ority for services described in clause  
17 (i).

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

1           “(aa) inform the State that  
2           the State has until the date that  
3           is 6 months after the Secretary  
4           has issued such report to fully  
5           comply with clause (i);

6           “(bb) provide the State an  
7           opportunity to modify the State  
8           plan of such State, to make the  
9           plan consistent with the require-  
10          ments of clause (i), and resubmit  
11          such State plan to the Secretary  
12          not later than the date described  
13          in item (aa); and

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

23          “(III) WAIVER FOR EXTRAOR-  
24          DINARY CIRCUMSTANCES.—Notwith-  
25          standing subclause (II) the Secretary

1 may grant a waiver to a State for one  
2 year to the penalty applied in sub-  
3 clause (II) if the Secretary determines  
4 there are extraordinary circumstances,  
5 such as a natural disaster, that pre-  
6 vent the State from complying with  
7 clause (i). If the Secretary does grant  
8 a waiver to a State under this section,  
9 the Secretary shall, within 30 days of  
10 granting such waiver, submit a report  
11 to the appropriate congressional com-  
12 mittees on the circumstances of the  
13 waiver including the stated reason  
14 from the State on the need for a waiv-  
15 er, the expected impact of the waiver  
16 on children served under this pro-  
17 gram, and any such other relevant in-  
18 formation the Secretary deems nec-  
19 essary.

20 “(iii) CHILD CARE RESOURCE AND  
21 REFERRAL SYSTEM.—

22 “(I) IN GENERAL.—A State may  
23 use amounts described in clause (i) to  
24 establish or support a system of local  
25 or regional child care resource and re-

1           ferral organizations that is coordi-  
2           nated, to the extent determined appro-  
3           priate by the State, by a statewide  
4           public or private nonprofit, commu-  
5           nity-based or regionally based, lead  
6           child care resource and referral orga-  
7           nization.

8                   “(II) LOCAL OR REGIONAL ORGA-  
9                   NIZATIONS.—The local or regional  
10                  child care resource and referral orga-  
11                  nizations supported as described in  
12                  subclause (I) shall—

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



1 care centers, in their political  
2 subdivisions or regions;

3 “(bb) to the extent prac-  
4 ticable, work directly with fami-  
5 lies who receive assistance under  
6 this subchapter to offer the fami-  
7 lies support and assistance, using  
8 information described in item  
9 (aa), to make an informed deci-  
10 sion about which child care pro-  
11 viders they will use, in an effort  
12 to ensure that the families are  
13 enrolling their children in the  
14 most appropriate child care set-  
15 ting to suit their needs and one  
16 that is of high quality (as deter-  
17 mined by the State);

18 “(cc) collect data and pro-  
19 vide information on the coordina-  
20 tion of services and supports, in-  
21 cluding services under section  
22 619 and part C of the Individuals  
23 with Disabilities Education Act  
24 (20 U.S.C. 1431, et seq.), for  
25 children with disabilities (as de-

1            fined in section 602 of such Act  
2            (20 U.S.C. 1401));

3            “(dd) collect data and pro-  
4            vide information on the supply of  
5            and demand for child care serv-  
6            ices in political subdivisions or  
7            regions within the State and sub-  
8            mit such information to the  
9            State;

10           “(ee) work to establish part-  
11           nerships with public agencies and  
12           private entities, including faith-  
13           based and community-based child  
14           care providers, to increase the  
15           supply and quality of child care  
16           services in the State; and

17           “(ff) as appropriate, coordi-  
18           nate their activities with the ac-  
19           tivities of the State lead agency  
20           and local agencies that admin-  
21           ister funds made available in ac-  
22           cordance with this subchapter.”;

23           (C) in subparagraph (D)—

24           (i) by striking “1997 through 2002)”  
25           and inserting “2015 through 2020”; and

1 (ii) by striking “other than families  
2 described in paragraph (2)(H)” and insert-  
3 ing “including or in addition to families  
4 with children described in clause (i), (ii),  
5 (iii), or (iv) of paragraph (2)(M)”;

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

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

10 “(i) reserve the minimum amount re-  
11 quired to be reserved under section 658G,  
12 and the funds for costs described in sub-  
13 paragraph (C); and

14 “(ii) from the remainder, use not less  
15 than 70 percent to fund direct services  
16 (provided by the State) in accordance with  
17 paragraph (2)(A).”;

18 (4) by striking paragraph (4) and inserting the  
19 following:

20 “(4) PAYMENT RATES.—

21 “(A) IN GENERAL.—The State plan shall  
22 certify that payment rates for the provision of  
23 child care services for which assistance is pro-  
24 vided in accordance with this subchapter are  
25 sufficient to ensure equal access for eligible

1 children to child care services that are com-  
2 parable to child care services in the State or  
3 substate area involved that are provided to chil-  
4 dren whose parents are not eligible to receive  
5 assistance under this subchapter or to receive  
6 child care assistance under any other Federal  
7 or State program, and shall provide a summary  
8 of the facts relied on by the State to determine  
9 that such rates are sufficient to ensure such ac-  
10 cess.

11 “(B) SURVEY.—The State plan shall—

12 “(i) demonstrate that the State has,  
13 after consulting with the State Advisory  
14 Council on Early Childhood Education and  
15 Care designated or established in section  
16 642B(b)(1)(A)(i) of the Head Start Act  
17 (42 U.S.C. 9837b(b)(1)(A)(i)), local child  
18 care program administrators, local child  
19 care resource and referral agencies, and  
20 other appropriate entities, developed and  
21 conducted (not earlier than 2 years before  
22 the date of the submission of the applica-  
23 tion containing the State plan) a statis-  
24 tically valid and reliable survey of the mar-  
25 ket rates for child care services in the

1 State (that reflects variations in the cost of  
2 child care services by geographic area, type  
3 of provider, and age of child) or an alter-  
4 native methodology, such as a cost esti-  
5 mation model, that has been developed by  
6 the State lead agency;

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

18 “(iii) describe how the State will set  
19 payment rates for child care services, for  
20 which assistance is provided in accordance  
21 with this subchapter—

22 “(I) in accordance with the re-  
23 sults of the market rates survey or al-  
24 ternative methodology conducted pur-  
25 suant to clause (i);

1                   “(II) taking into consideration  
2                   the cost of providing higher quality  
3                   child care services than were provided  
4                   under this subchapter before the date  
5                   of enactment of the Child Care and  
6                   Development Block Grant Act of  
7                   2014; and

8                   “(III) without, to the extent  
9                   practicable, reducing the number of  
10                  families in the State receiving such  
11                  assistance to carry out this sub-  
12                  chapter, relative to the number of  
13                  such families on the date of enact-  
14                  ment of that Act; and

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

18                  “(C) CONSTRUCTION.—

19                  “(i) NO PRIVATE RIGHT OF ACTION.—  
20                  Nothing in this paragraph shall be con-  
21                  strued to create a private right of action if  
22                  the State acted in accordance with this  
23                  paragraph.

24                  “(ii) NO PROHIBITION OF CERTAIN  
25                  DIFFERENT RATES.—Nothing in this sub-

1 chapter shall be construed to prevent a  
2 State from differentiating the payment  
3 rates described in subparagraph (B)(iii) on  
4 the basis of such factors as—

5 “(I) geographic location of child  
6 care providers (such as location in an  
7 urban or rural area);

8 “(II) the age or particular needs  
9 of children (such as the needs of chil-  
10 dren with disabilities and children  
11 served by child protective services);

12 “(III) whether the providers pro-  
13 vide child care services during week-  
14 end and other nontraditional hours; or

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

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

23 (c) TECHNICAL AMENDMENT.—Section 658F(b)(2)  
24 of the Child Care and Development Block Grant Act of  
25 1990 (42 U.S.C. 9858d(b)(2)) is amended by striking

1 “section 658E(c)(2)(F)” and inserting “section  
2 658E(c)(2)(I)”.

3 **SEC. 6. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**  
4 **CARE.**

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

8 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**  
9 **CHILD CARE.**

10 “(a) RESERVATION.—

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



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

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

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

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

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

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

1           “(3) STATE RESERVATION AMOUNT.—Nothing  
2           in this subsection shall preclude the State from re-  
3           serving a larger percentage of funds to carry out the  
4           activities described in paragraph (1) and subsection  
5           (b).

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

10           “(1) Supporting the training and professional  
11           development of the child care workforce through ac-  
12           tivities such as those included under section  
13           658E(c)(2)(G), in addition to—

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

1           “(B) incorporating the effective use of data  
2 to guide program improvement;

3           “(C) including effective behavior manage-  
4 ment strategies and training, including positive  
5 behavior interventions and support models, that  
6 promote positive social and emotional develop-  
7 ment and reduce challenging behaviors, includ-  
8 ing reducing expulsions of preschool-aged chil-  
9 dren for such behaviors;

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

16          “(F) providing training corresponding to  
17 the nutritional and physical activity needs of  
18 children to promote healthy development;

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

22          “(H) connecting child care staff members  
23 of child care providers with available Federal  
24 and State financial aid, or other resources, that

1           would assist child care staff members in pur-  
2           suing relevant postsecondary training.

3           “(2) Improving upon the development or imple-  
4           mentation of the early learning and developmental  
5           guidelines described in section 658E(c)(2)(T) by  
6           providing technical assistance to eligible child care  
7           providers that enhances the cognitive, physical, so-  
8           cial and emotional development, including early  
9           childhood development, of participating preschool  
10          and school-aged children and supports their overall  
11          well-being.

12          “(3) Developing, implementing, or enhancing a  
13          tiered quality rating system for child care providers  
14          and services, which may—

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

17                 “(B) build on State licensing standards  
18                 and other State regulatory standards for such  
19                 providers;

20                 “(C) be designed to improve the quality of  
21                 different types of child care providers and serv-  
22                 ices;

23                 “(D) describe the safety of child care fa-  
24                 cilities;

1           “(E) build the capacity of State early  
2 childhood programs and communities to pro-  
3 mote parents’ and families’ understanding of  
4 the State’s early childhood system and the rat-  
5 ings of the programs in which the child is en-  
6 rolled;

7           “(F) provide, to the maximum extent prac-  
8 ticable, financial incentives and other supports  
9 designed to expand the full diversity of child  
10 care options and help child care providers im-  
11 prove the quality of services; and

12           “(G) accommodate a variety of distinctive  
13 approaches to early childhood education and  
14 care, including but not limited to, those prac-  
15 ticed in faith-based settings, community-based  
16 settings, child-centered settings, or similar set-  
17 tings that offer a distinctive approach to early  
18 childhood development.

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

22           “(A) establishing or expanding high-quality  
23 community or neighborhood-based family and  
24 child development centers, which may serve as  
25 resources to child care providers in order to im-

1           prove the quality of early childhood services  
2           provided to infants and toddlers from low-in-  
3           come families and to help eligible child care  
4           providers improve their capacity to offer high-  
5           quality, age-appropriate care to infants and tod-  
6           dlers from low-income families;

7           “(B) establishing or expanding the oper-  
8           ation of community or neighborhood-based fam-  
9           ily child care networks;

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

22          “(D) if applicable, developing infant and  
23          toddler components within the State’s quality  
24          rating system described in paragraph (3) for  
25          child care providers for infants and toddlers, or

1 the development of infant and toddler compo-  
2 nents in a State’s child care licensing regula-  
3 tions or early learning and development guide-  
4 lines;

5 “(E) improving the ability of parents to  
6 access transparent and easy to understand con-  
7 sumer information about high-quality infant  
8 and toddler care; and

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

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

22 “(6) Facilitating compliance with State require-  
23 ments for inspection, monitoring, training, and  
24 health and safety, and with State licensing stand-  
25 ards.

1           “(7) Evaluating and assessing the quality and  
2           effectiveness of child care programs and services of-  
3           fered in the State, including evaluating how such  
4           programs positively impact children.

5           “(8) Supporting child care providers in the vol-  
6           untary pursuit of accreditation by a national accred-  
7           iting body with demonstrated, valid, and reliable  
8           program standards of high quality.

9           “(9) Supporting State or local efforts to develop  
10          or adopt high-quality program standards relating to  
11          health, mental health, nutrition, physical activity,  
12          and physical development.

13          “(10) Carrying out other activities determined  
14          by the State to improve the quality of child care  
15          services provided in the State, and for which meas-  
16          urement of outcomes relating to improved provider  
17          preparedness, child safety, child well-being, or entry  
18          to kindergarten is possible.

19          “(c) CERTIFICATION.—Beginning with fiscal year  
20          2016, at the beginning of each fiscal year, the State shall  
21          annually submit to the Secretary a certification containing  
22          an assurance that the State was in compliance with sub-  
23          section (a) during the preceding fiscal year and a descrip-  
24          tion of how the State used funds received under this sub-



1 chapter to comply with subsection (a) during that pre-  
2 ceding fiscal year.

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

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

9 “(2) the activities carried out under this sec-  
10 tion; and

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

14 “(e) TECHNICAL ASSISTANCE.—The Secretary shall  
15 offer technical assistance, in accordance with section  
16 658I(a)(3), which may include technical assistance  
17 through the use of grants or cooperative agreements, to  
18 States for the activities described in subsection (b) at the  
19 request of the State.

20 “(f) CONSTRUCTION.—Nothing in this section shall  
21 be construed as providing the Secretary the authority to  
22 regulate, direct, dictate, or place conditions (outside of  
23 what is required by this subchapter) on a State adopting  
24 specific State child care quality activities or progress in  
25 implementing those activities.”.

1 **SEC. 7. CRIMINAL BACKGROUND CHECKS.**

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

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

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

8 “(1) requirements, policies, and procedures to  
9 require and conduct criminal background checks for  
10 child care staff members (including prospective child  
11 care staff members) of child care providers described  
12 in subsection (c)(1); and

13 “(2) licensing, regulation, and registration re-  
14 quirements, as applicable, that prohibit the employ-  
15 ment of child care staff members as described in  
16 subsection (c).

17 “(b) REQUIREMENTS.—A criminal background check  
18 for a child care staff member under subsection (a) shall  
19 include—

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

25 “(2) a search of State-based child abuse and  
26 neglect registries and databases in the State where

1 the child care staff member resides, and each State  
2 where such staff member resided during the pre-  
3 ceding 5 years;

4 “(3) a search of the National Crime Informa-  
5 tion Center;

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

9 “(5) a search of the National Sex Offender  
10 Registry established under the Adam Walsh Child  
11 Protection and Safety Act of 2006 (42 U.S.C.  
12 16901 et seq.).

13 “(c) PROHIBITIONS.—

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

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

20 “(B) knowingly makes a materially false  
21 statement in connection with such criminal  
22 background check;

23 “(C) is registered, or is required to be reg-  
24 istered, on a State sex offender registry or re-  
25 pository or the National Sex Offender Registry

1 established under the Adam Walsh Child Pro-  
2 tection and Safety Act of 2006 (42 U.S.C.  
3 16901 et seq.); or

4 “(D) has been convicted of a felony con-  
5 sisting of—

6 “(i) murder, as described in section  
7 1111 of title 18, United States Code;

8 “(ii) child abuse or neglect;

9 “(iii) a crime against children, includ-  
10 ing child pornography;

11 “(iv) spousal abuse;

12 “(v) a crime involving rape or sexual  
13 assault;

14 “(vi) kidnapping;

15 “(vii) arson;

16 “(viii) physical assault or battery; or

17 “(ix) subject to subsection (e)(4), a  
18 drug-related offense committed during the  
19 preceding 5 years; or

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

1           “(2) CHILD CARE PROVIDERS.—A child care  
2 provider described in subsection (i)(1) shall be ineli-  
3 gible for assistance provided in accordance with this  
4 subchapter if the provider employs a staff member  
5 who is ineligible for employment under paragraph  
6 (1).

7           “(d) SUBMISSION OF REQUESTS FOR BACKGROUND  
8 CHECKS.—

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

15           “(2) STAFF MEMBERS.—Subject to paragraph  
16 (4), in the case of an individual who became a child  
17 care staff member before the date of enactment of  
18 the Child Care and Development Block Grant Act of  
19 2014, the provider shall submit such a request—

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

22           “(B) not less often than once during each  
23 5-year period following the first submission date  
24 under this paragraph for that staff member.

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

6                   “(A) prior to the date the individual be-  
7                   comes a child care staff member of the pro-  
8                   vider; and

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

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

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

18                           “(i) within 5 years before the latest  
19                           date on which such a submission may be  
20                           made; and

21                           “(ii) while employed by or seeking em-  
22                           ployment by another child care provider  
23                           within the State;

24                   “(B) the State provided to the first pro-  
25                  vider a qualifying background check result, con-

1           sistent with this subchapter, for the staff mem-  
2           ber; and

3           “(C) the staff member is employed by a  
4           child care provider within the State, or has  
5           been separated from employment from a child  
6           care provider within the State for a period of  
7           not more than 180 consecutive days.

8           “(e) BACKGROUND CHECK RESULTS AND AP-  
9           PEALS.—

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

18           “(2) PRIVACY.—

19           “(A) IN GENERAL.—The State shall pro-  
20           vide the results of the criminal background  
21           check to the provider in a statement that indi-  
22           cates whether a child care staff member (in-  
23           cluding a prospective child care staff member)  
24           is eligible or ineligible for employment described  
25           in subsection (c), without revealing any dis-

1           qualifying crime or other related information  
2           regarding the individual.

3           “(B) INELIGIBLE STAFF MEMBER.—If the  
4           child care staff member is ineligible for such  
5           employment due to the background check, the  
6           State will, when providing the results of the  
7           background check, include information related  
8           to each disqualifying crime, in a report to the  
9           staff member or prospective staff member.

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

17          “(3) APPEALS.—

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



1                   “(B) APPEALS PROCESS.—The State shall  
2                   ensure that—

3                   “(i) each child care staff member shall  
4                   be given notice of the opportunity to ap-  
5                   peal;

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

13                  “(iii) the appeals process is completed  
14                  in a timely manner for each child care  
15                  staff member.

16                  “(4) REVIEW.—The State may allow for a re-  
17                  view process through which the State may determine  
18                  that a child care staff member (including a prospec-  
19                  tive child care staff member) disqualified for a crime  
20                  specified in subsection (c)(1)(D)(ix) is eligible for  
21                  employment described in subsection (c)(1), notwith-  
22                  standing subsection (c). The review process shall be  
23                  consistent with title VII of the Civil Rights Act of  
24                  1964 (42 U.S.C. 2000e et seq.).

1           “(5) NO PRIVATE RIGHT OF ACTION.—Nothing  
2           in this section shall be construed to create a private  
3           right of action if a provider has acted in accordance  
4           with this section.

5           “(f) FEES FOR BACKGROUND CHECKS.—Fees that a  
6           State may charge for the costs of processing applications  
7           and administering a criminal background check as re-  
8           quired by this section shall not exceed the actual costs to  
9           the State for the processing and administration.

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

15          “(h) CONSTRUCTION.—

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

24                 “(2) RIGHTS AND REMEDIES.—Nothing in this  
25                 section shall be construed to alter or otherwise affect

1 the rights and remedies provided for child care staff  
2 members residing in a State that disqualifies individ-  
3 uals as child care staff members for crimes not spe-  
4 cifically provided for under this section.

5 “(i) DEFINITIONS.—In this section—

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

10 “(A) is not an individual who is related to  
11 all children for whom child care services are  
12 provided; and

13 “(B) is licensed, regulated, or registered  
14 under State law or receives assistance provided  
15 under this subchapter; and

16 “(2) the term ‘child care staff member’ means  
17 an individual (other than an individual who is re-  
18 lated to all children for whom child care services are  
19 provided)—

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

22 “(B) whose activities involve the care or  
23 supervision of children for a child care provider  
24 or unsupervised access to children who are  
25 cared for or supervised by a child care provider.

1 “(j) EFFECTIVE DATE.—

2 “(1) IN GENERAL.—A State that receives funds  
3 under this subchapter shall meet the requirements of  
4 this section for the provision of criminal background  
5 checks for child care staff members described in sub-  
6 section (d)(1) not later than the last day of the sec-  
7 ond full fiscal year after the date of enactment of  
8 the Child Care and Development Block Grant Act of  
9 2014.

10 “(2) EXTENSION.—The Secretary may grant a  
11 State an extension of time, of not more than 1 fiscal  
12 year, to meet the requirements of this section if the  
13 State demonstrates a good faith effort to comply  
14 with the requirements of this section.

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

22 **SEC. 8. REPORTS AND INFORMATION.**

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

1 (1) in paragraph (2)—

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

3 and

4 (B) by striking “and” at the end;

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

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

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

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

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

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

5 “(c) REQUEST FOR RELIEF.—

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

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

20 “(B) such circumstances included in the  
21 request prevent the State from complying with  
22 any statutory or regulatory requirements of this  
23 subchapter;

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

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

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

8           “(A) detail each sanction or provision with-  
9 in this subchapter that the State seeks relief  
10 from;

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

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

19           “(3) APPROVAL.—Within 90 days after the re-  
20 ceipt of a State’s request under this subsection, the  
21 Secretary shall inform the State of approval or dis-  
22 approval of the request. If the plan is disapproved,  
23 the Secretary shall, at this time, inform the State,  
24 the Committee on Education and the Workforce of  
25 the House of Representatives, and the Committee on

1 Health, Education, Labor, and Pensions of the Sen-  
2 ate of the reasons for the disapproval and give the  
3 State the opportunity to amend the request. In the  
4 case of approval, the Secretary shall, within 30 days  
5 of granting such waiver, notify and submit a report  
6 to the Committee on Education and the Workforce  
7 of the House of Representatives and the Committee  
8 on Health, Education, Labor, and Pensions of the  
9 Senate on the circumstances of the waiver including  
10 each specific sanction or provision waived, the rea-  
11 son as given by the State of the need for a waiver,  
12 and the expected impact of the waiver on children  
13 served under this program.

14 “(4) EXTERNAL CONDITIONS.—The Secretary  
15 shall not require or impose any new or additional re-  
16 quirements in exchange for receipt of a waiver if  
17 such requirements are not specified in this sub-  
18 chapter.

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

23 “(6) TERMINATION.—The Secretary shall ter-  
24minate approval of a request for a waiver authorized  
25 under this subsection if the Secretary determines,



1 after notice and opportunity for a hearing, that the  
2 performance of a State granted relief under this  
3 subsection has been inadequate, or if such relief is  
4 no longer necessary to achieve its original purposes.

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

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

1 to waive anything related to his or her authority  
2 under this subchapter.”.

3 (c) REPORTS.—Section 658K(a) of the Child Care  
4 and Development Block Grant Act of 1990 (42 U.S.C.  
5 9858i(a)) is amended—

6 (1) in paragraph (1)(B)—

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

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

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

12 “(xi) whether the children receiving  
13 assistance under this subchapter are home-  
14 less children;”; and

15 (2) in paragraph (2)—

16 (A) in the matter preceding subparagraph  
17 (A), by striking “December 31, 1997” and all  
18 that follows through “thereafter”, and inserting  
19 “1 year after the date of the enactment of the  
20 Child Care and Development Block Grant Act  
21 of 2014, and annually thereafter,”;

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

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

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

2 “(F) the number of child fatalities occur-  
3 ring among children while in the care and facil-  
4 ity of child care providers receiving assistance  
5 under this subchapter, listed by type of child  
6 care provider and indicating whether the pro-  
7 viders (excluding child care providers described  
8 in section 658P(6)(B)) are licensed or license-  
9 exempt.”.

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

13 (1) by striking the section heading and insert-  
14 ing the following:

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

16 (2) by striking “Not later” and inserting the  
17 following:

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

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

20 (4) by striking “to the Committee” and all that  
21 follows through “of the Senate” and inserting “to  
22 the Committee on Education and the Workforce of  
23 the House of Representatives and the Committee on  
24 Health, Education, Labor, and Pensions of the Sen-  
25 ate”;

1           (5) by inserting after “States.” the following:  
2   “Such report shall contain a determination around wheth-  
3   er each State that uses amounts provided under this sub-  
4   chapter has complied with the priority for services de-  
5   scribed in sections 658E(c)(2)(Q) and 658E(c)(3)(B).”;  
6   and

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

8       “(b) NATIONAL TOLL-FREE HOTLINE AND WEB  
9   SITE.—

10       “(1) IN GENERAL.—The Secretary shall oper-  
11   ate, directly or through the use of grants or con-  
12   tracts, a national toll-free hotline and Web site, to—

13       “(A) develop and disseminate publicly  
14   available child care consumer education infor-  
15   mation for parents and help parents access safe  
16   and quality child care services in their commu-  
17   nity, with a range of price options, that best  
18   suits their family’s needs; and

19       “(B) to allow persons to report (anony-  
20   mously if desired) suspected child abuse or ne-  
21   glect, or violations of health and safety require-  
22   ments, by an eligible child care provider that re-  
23   ceives assistance under this subchapter or a  
24   member of the provider’s staff.

1           “(2) REQUIREMENTS.—The Secretary shall en-  
2           sure that the hotline and Web site meet the fol-  
3           lowing requirements:

4                   “(A) REFERRAL TO LOCAL CHILD CARE  
5                   PROVIDERS.—The Web site shall be hosted by  
6                   ‘childcare.gov’. The Web site shall enable a  
7                   child care consumer to enter a zip code and ob-  
8                   tain a referral to local child care providers de-  
9                   scribed in subparagraph (B) within a specified  
10                  search radius.

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

14                          “(i) a localized list of all eligible child  
15                          care providers, differentiating between li-  
16                          censed and license-exempt providers;

17                          “(ii) any provider-specific information  
18                          from a Quality Rating and Improvement  
19                          System or information about other quality  
20                          indicators, to the extent the information is  
21                          publicly available and to the extent prac-  
22                          ticable;

23                          “(iii) any other provider-specific infor-  
24                          mation about compliance with licensing,  
25                          and health and safety requirements to the

1 extent the information is publicly available  
2 and to the extent practicable;

3 “(iv) referrals to local resource and  
4 referral organizations from which con-  
5 sumers can find more information about  
6 child care providers; and

7 “(v) State information about child  
8 care subsidy programs and other financial  
9 supports available to families.

10 “(C) NATIONWIDE CAPACITY.—The Web  
11 site and hotline shall have the capacity to help  
12 families in every State and community in the  
13 Nation.

14 “(D) INFORMATION AT ALL HOURS.—The  
15 Web site shall provide, to parents and families,  
16 access to information about child care services  
17 24 hours a day.

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

23 “(F) HIGH-QUALITY CONSUMER EDU-  
24 CATION AND REFERRAL.—The Web site and  
25 hotline shall ensure that families have access to

1           easy-to-understand child care consumer edu-  
2           cation and referral services.

3           “(3) PROHIBITION.—Nothing in this subsection  
4           shall be construed to allow the Secretary to compel  
5           States to provide additional data and information  
6           that is currently (as of the date of enactment of the  
7           Child Care and Development Block Grant Act of  
8           2014) not publicly available, or is not required by  
9           this subchapter, unless such additional data are re-  
10          lated to the purposes and scope of this subchapter,  
11          and are subject to a notice and comment period of  
12          no less than 90 days.”.

13          (e) PROTECTION OF INFORMATION.—Section  
14          658K(a)(1) of the Child Care and Development Block  
15          Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended  
16          by adding at the end the following:

17                  “(E) PROHIBITION.—Reports submitted to  
18                  the Secretary under subparagraph (C) shall not  
19                  contain personally identifiable information.”.

1 **SEC. 9. RESERVATION FOR TOLL-FREE HOTLINE AND WEB**  
2 **SITE; PAYMENTS TO BENEFIT INDIAN CHIL-**  
3 **DREN; TECHNICAL ASSISTANCE AND EVALUA-**  
4 **TION.**

5 Section 6580 of the Child Care and Development  
6 Block Grant Act of 1990 (42 U.S.C. 9858m) is amend-  
7 ed—

8 (1) in subsection (a)—

9 (A) in paragraph (2)—

10 (i) by striking “The Secretary” and  
11 inserting the following:

12 “(A) IN GENERAL.—The Secretary”;

13 (ii) by striking “1 percent, and not  
14 more than 2 percent,” and inserting “2  
15 percent”; and

16 (iii) by adding at the end the fol-  
17 lowing:

18 “(B) LIMITATIONS.—Notwithstanding sub-  
19 paragraph (A), the Secretary shall only reserve  
20 an amount that is greater than 2 percent of the  
21 amount appropriated under section 658B, for  
22 payments described in subparagraph (A), for a  
23 fiscal year (referred to in this subparagraph as  
24 the ‘reservation year’) if —

25 “(i) the amount appropriated under  
26 section 658B for the reservation year is



1 greater than the amount appropriated  
2 under section 658B for fiscal year 2014;  
3 and

4 “(ii) the Secretary ensures that the  
5 amount allotted to States under subsection  
6 (b) for the reservation year is not less than  
7 the amount allotted to States under sub-  
8 section (b) for fiscal year 2014.”; and

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

10 “(3) NATIONAL TOLL-FREE HOTLINE AND WEB  
11 SITE.—The Secretary shall reserve up to \$1,500,000  
12 of the amount appropriated under this subchapter  
13 for each fiscal year for the operation of a national  
14 toll-free hotline and Web site, under section  
15 658L(b).

16 “(4) TECHNICAL ASSISTANCE.—The Secretary  
17 shall reserve up to  $\frac{1}{2}$  of 1 percent of the amount ap-  
18 propriated under this subchapter for each fiscal year  
19 to support technical assistance and dissemination ac-  
20 tivities under paragraphs (3) and (4) of section  
21 658I(a).

22 “(5) RESEARCH, DEMONSTRATION, AND EVAL-  
23 UATION.—The Secretary may reserve  $\frac{1}{2}$  of 1 per-  
24 cent of the amount appropriated under this sub-  
25 chapter for each fiscal year to conduct research and

1 demonstration activities, as well as periodic external,  
2 independent evaluations of the impact of the pro-  
3 gram described by this subchapter on increasing ac-  
4 cess to child care services and improving the safety  
5 and quality of child care services, using scientifically  
6 valid research methodologies, and to disseminate the  
7 key findings of those evaluations widely and on a  
8 timely basis.”; and

9 (2) in subsection (c)—

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

12 “(D) LICENSING AND STANDARDS.—In  
13 lieu of any licensing and regulatory require-  
14 ments applicable under State or local law, the  
15 Secretary, in consultation with Indian tribes  
16 and tribal organizations, shall develop minimum  
17 child care standards that shall be applicable to  
18 Indian tribes and tribal organizations receiving  
19 assistance under this subchapter. Such stand-  
20 ards shall appropriately reflect Indian tribe and  
21 tribal organization needs and available re-  
22 sources, and shall include standards requiring a  
23 publicly available application, health and safety  
24 standards, and standards requiring a reserva-  
25 tion of funds for activities to improve the qual-

1           ity of child care services provided to Indian chil-  
2           dren.”; and

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

5                   “(C) LIMITATION.—

6                           “(i) IN GENERAL.—Except as pro-  
7                           vided in clause (ii), the Secretary may not  
8                           permit an Indian tribe or tribal organiza-  
9                           tion to use amounts provided under this  
10                           subsection for construction or renovation if  
11                           the use will result in a decrease in the level  
12                           of child care services provided by the In-  
13                           dian tribe or tribal organization as com-  
14                           pared to the level of child care services  
15                           provided by the Indian tribe or tribal orga-  
16                           nization in the fiscal year preceding the  
17                           year for which the determination under  
18                           subparagraph (B) is being made.

19                           “(ii) WAIVER.—The Secretary shall  
20                           waive the limitation described in clause (i)  
21                           if—

22                                   “(I) the Secretary determines  
23                                   that the decrease in the level of child  
24                                   care services provided by the Indian

1                   tribe or tribal organization is tem-  
2                   porary; and

3                   “(II) the Indian tribe or tribal  
4                   organization submits to the Secretary  
5                   a plan that demonstrates that after  
6                   the date on which the construction or  
7                   renovation is completed—

8                   “(aa) the level of child care  
9                   services will increase; or

10                   “(bb) the quality of child  
11                   care services will improve.”.

12 **SEC. 10. DEFINITIONS.**

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

15           (1) by striking paragraph (4) and inserting the  
16 following:

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

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

22           “(B) a child who is eligible for early inter-  
23 vention services under part C of the Individuals  
24 with Disabilities Education Act (20 U.S.C.  
25 1431 et seq.);

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

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

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

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

10           “(B) whose family income does not exceed  
11 85 percent of the State median income for a  
12 family of the same size, and whose family assets  
13 do not exceed \$1,000,000 (as certified by a  
14 member of such family); and

15           “(C) who—

16           “(i) resides with a parent or parents  
17 who are working or attending a job train-  
18 ing or educational program; or

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

22           (2) by redesignating paragraphs (5) through  
23 (9) as paragraphs (6) through (10), respectively;

24           (3) by inserting after paragraph (4), the fol-  
25 lowing:

1           “(5) ENGLISH LEARNER.—The term ‘English  
2 learner’ means an individual who is limited English  
3 proficient, as defined in section 9101 of the Elemen-  
4 tary and Secondary Education Act of 1965 (20  
5 U.S.C. 7801) or section 637 of the Head Start Act  
6 (42 U.S.C. 9832).”;

7           (4) in paragraph (6)(A), as redesignated by  
8 paragraph (2)—

9           (A) in clause (i), by striking “section  
10 658E(c)(2)(E)” and inserting “section  
11 658E(c)(2)(F)”; and

12           (B) in clause (ii), by striking “section  
13 658E(c)(2)(F)” and inserting “section  
14 658E(c)(2)(I)”;

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

19           (6) in paragraph (10), as redesignated by para-  
20 graph (2), by inserting “, foster parent,” after  
21 “guardian”;

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

1 (8) by inserting after paragraph (10), as redese-  
2 ignated by paragraph (2), the following:

3 “(11) SCIENTIFICALLY VALID RESEARCH.—The  
4 term ‘scientifically valid research’ includes applied  
5 research, basic research, and field-initiated research,  
6 for which the rationale, design, and interpretation  
7 are soundly developed in accordance with principles  
8 of scientific research.”.

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

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

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

13 “(a) IN GENERAL.—”; and

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

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

18 “(1) to favor or promote the use of grants and  
19 contracts for the receipt of child care services under  
20 this subchapter over the use of child care certifi-  
21 cates; or

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

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

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

5 (1) are eligible to receive assistance under the  
6 Child Care and Development Block Grant Act of  
7 1990 (42 U.S.C. 9858 et seq.);

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

10 (3) have been placed on a waiting list for the  
11 assistance.

12 (b) REPORT.—The Comptroller General shall prepare  
13 a report containing the results of each study and shall sub-  
14 mit the report to the Committee on Health, Education,  
15 Labor and Pensions of the Senate, and the Committee on  
16 Education and the Workforce of the House of Representa-  
17 tives—

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

20 (2) every 2 years thereafter.

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



1 **SEC. 13. REVIEW OF FEDERAL EARLY LEARNING AND CARE**  
2 **PROGRAMS.**

3 (a) IN GENERAL.—The Secretary of Health and  
4 Human Services, in conjunction with the Secretary of  
5 Education, shall conduct an interdepartmental review of  
6 all early learning and care programs for children less than  
7 6 years of age in order to—

8 (1) develop a plan for the elimination of over-  
9 lapping programs, as identified by the Government  
10 Accountability Office’s 2012 annual report (GAO–  
11 12–342SP); and

12 (2) make recommendations to Congress for  
13 streamlining all such programs.

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