

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

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. SHORT TITLE AND PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (2) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(aa) different age groups;

19 “(bb) English learners;

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

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

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

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

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

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

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

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

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

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

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

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

1 viders who receive assistance in accordance
2 with subchapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(i) children in underserved areas;

4 “(ii) infants and toddlers;

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

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

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

11 “(i) MINIMUM PERIOD.—

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

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

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

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

1 provided in accordance with this sub-
2 chapter.

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

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

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

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

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

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

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

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

1 menting voluntary shared services alliance mod-
2 els.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 velopmental delay, or family support
2 services;

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

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

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

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

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

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

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

7 “(U) DISASTER PREPAREDNESS.—

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

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

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

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

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

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

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

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

18 (3) in paragraph (3)—

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

22 (B) in subparagraph (B)—

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

25 “(i) IN GENERAL.—The State”;

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

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

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

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

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

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

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

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

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

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

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

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

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

1 child care resource and referral orga-
2 nization.

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

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

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

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

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

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

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

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

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

17 (C) in subparagraph (D)—

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

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

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

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

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

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

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

14 “(4) PAYMENT RATES.—

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

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

5 “(B) SURVEY.—The State plan shall—

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

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

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

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

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

1 Development Block Grant Act of
2 2014; and

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

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

13 “(C) CONSTRUCTION.—

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

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

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

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

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

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

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

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

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

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

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

8 **“(a) RESERVATION.—**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “(c) PROHIBITIONS.—

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

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

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

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

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

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

5 “(ii) child abuse or neglect;

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

8 “(iv) spousal abuse;

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

11 “(vi) kidnapping;

12 “(vii) arson;

13 “(viii) physical assault or battery; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(2) PRIVACY.—

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

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

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

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

12 “(3) APPEALS.—

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

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

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

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

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

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

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

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

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

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

9 “(h) CONSTRUCTION.—

10 “(1) DISQUALIFICATION FOR OTHER CRIMES.—

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

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

24 “(i) DEFINITIONS.—In this section—

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

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

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

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

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

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

21 “(j) EFFECTIVE DATE.—

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

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

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

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

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

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

21 (1) in paragraph (2)—

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

23 and

24 (B) by striking “and” at the end;

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

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

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

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

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

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

1 “(c) REQUEST FOR RELIEF.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) in paragraph (1)(B)—

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

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

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

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

10 (2) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 and

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

4 “(b) NATIONAL TOLL-FREE HOTLINE AND WEB
5 SITE.—

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

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

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

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

24 “(A) REFERRAL TO LOCAL CHILD CARE
25 PROVIDERS.—The Web site shall be hosted by

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (1) in subsection (a)—

24 (A) in paragraph (2)—

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

3 “(A) IN GENERAL.—The Secretary”;

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

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

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

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

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

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

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

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

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

1 (2) in subsection (c)—

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

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

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

22 “(C) LIMITATION.—

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

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

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

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

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

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

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

3 **SEC. 10. DEFINITIONS.**

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

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

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

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

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

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

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

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

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

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

6 “(C) who—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(a) IN GENERAL.—”; and

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

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

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

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

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

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

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

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

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

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

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

11 (2) every 2 years thereafter.

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

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

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

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

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

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

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

