

112TH CONGRESS
2D SESSION

S. 3476

To amend the Child Care and Development Block Grant Act of 1990 to ensure access to high-quality child care for homeless children and families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2012

Mrs. MURRAY (for herself, Mr. FRANKEN, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Child Care and Development Block Grant Act of 1990 to ensure access to high-quality child care for homeless children and families, 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 “Improving Access to
5 Child Care for Homeless Families Act of 2012”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) Child and youth homelessness has increased
2 by 38 percent during the period since 2006, and
3 Head Start programs have registered a 44 percent
4 increase in the number of homeless children served
5 over that same period.

6 (2) Among homeless children living in shelters
7 supported by the Department of Housing and Urban
8 Development, 50 percent are under 5 years old.

9 (3) A 2010 study by the Eunice Kennedy Shriver
10 National Institute of Child Health and Human
11 Development found that children who had received
12 high-quality care in the first few years of life scored
13 higher on measures of academic and cognitive
14 achievement when the children were 19 years old,
15 and were less likely to misbehave, than children who
16 had been enrolled in low-quality care in those years.

17 (4) Homelessness has a negative impact on
18 child development that surpasses the harmful im-
19 pacts of poverty. A Head Start demonstration
20 project serving homeless families indicated that the
21 homeless children served had more instances of de-
22 velopmental delay, learning disabilities, and physical
23 or mental health problems, compared with their low-
24 income peers in stable housing.

1 (5) For homeless families, residential insta-
2 bility, high mobility, documentation requirements,
3 and lack of transportation are significant obstacles
4 to accessing and retaining child care services.

5 (6) According to a study by the Institute for
6 Children, Poverty, and Homelessness, homeless fam-
7 ilies are less likely to receive government financial
8 assistance for child care than families that are not
9 homeless.

10 (7) Without child care, homeless parents of
11 young children struggle to search for employment,
12 maintain employment, and enter job training pro-
13 grams.

14 (8) Many parents who are domestic violence
15 survivors who flee their homes try to find employ-
16 ment, but the parents are often limited by a lack of
17 child care. In a survey of nearly 1,500 domestic vio-
18 lence survivors in domestic violence shelters, 29 per-
19 cent indicated that they needed help with child care.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1)(A) Congress has enacted successful policies
23 to increase homeless children’s access to and sta-
24 bility in public elementary and secondary schools
25 and Head Start programs; and

1 (B) in order to increase homeless families’ ac-
 2 cess to and continuity in child care, similar policies
 3 should be applied to Federal child care programs;
 4 and

5 (2) such policies will assist homeless parents in
 6 maintaining employment and regaining housing, and
 7 will provide critical interventions to support that vul-
 8 nerable population of children.

9 **SEC. 3. PURPOSE.**

10 The purpose of this Act is to ensure access to high-
 11 quality child care for homeless children and families.

12 **SEC. 4. CHILD CARE FOR HOMELESS CHILDREN.**

13 (a) LEAD AGENCY DUTIES.—Section 658D(b)(1)(D)
 14 of the Child Care and Development Block Grant Act of
 15 1990 (42 U.S.C. 9858b(b)(1)(D)) is amended by striking
 16 “Federal, State and local child care and early childhood
 17 development programs.” and inserting “Federal, State,
 18 and local child care, early childhood development, and so-
 19 cial service programs that shall include—

20 “(1) Head Start and Early Head Start pro-
 21 grams under the Head Start Act (42 U.S.C. 9831
 22 et seq.);

23 “(2) programs, and services of partners, that
 24 serve vulnerable populations, including programs
 25 serving homeless children and services of local edu-

1 cational agency liaisons for homeless children and
2 youths designated under subsection (g)(1)(J)(ii) of
3 section 722 of the McKinney-Vento Homeless Assist-
4 ance Act (42 U.S.C. 11432); and

5 “(3) programs, and services of entities receiving
6 grants, to provide to homeless veterans services au-
7 thorized under chapter 20 of title 38, United States
8 Code, consisting of housing, employment-related
9 services (such as services under section 2021 or
10 2021A of such title), or supportive services (such as
11 services authorized under section 2044 of such
12 title).”.

13 (b) PLAN REQUIREMENTS.—Section 658E(c) of the
14 Child Care and Development Block Grant Act of 1990 (42
15 U.S.C. 9858c(c)) is amended—

16 (1) in paragraph (2)—

17 (A) in subparagraph (D), by inserting “,
18 Head Start and Early Head Start agencies
19 under the Head Start Act (42 U.S.C. 9831 et
20 seq.), State Coordinators designated under sub-
21 section (d)(3), and local educational agency liai-
22 sons for homeless children and youths des-
23 ignated under subsection (g)(1)(J)(ii), of sec-
24 tion 722 of the McKinney-Vento Homeless As-
25 sistance Act (42 U.S.C. 11432), local edu-

1 cational agencies and providers of early inter-
 2 vention services under the Individuals with Dis-
 3 abilities Education Act (20 U.S.C. 1400 et
 4 seq.),” after “children”;

5 (B) in subparagraph (F)(i), by striking the
 6 semicolon and inserting “and the establishment
 7 of a grace period that allows homeless children
 8 to receive services under this subchapter while
 9 their families are taking any necessary action to
 10 comply with immunization and other health and
 11 safety requirements;”; and

12 (C) in subparagraph (H)—

13 (i) by striking “and families” and in-
 14 serting “families”; and

15 (ii) by inserting “, and families of
 16 homeless children” before the period;

17 (2) in paragraph (3)(B)—

18 (A) by inserting “activities that improve
 19 access to such services (including transportation
 20 to child care services, procedures to permit im-
 21 mediate enrollment of homeless children while
 22 required documentation is obtained, training
 23 and technical assistance on identifying and
 24 serving homeless children and their families,
 25 and specific outreach to families described in

1 paragraph (2)(H)),” after “availability of such
2 services,”; and

3 (B) by inserting “, to homeless children,”
4 after “family size”]; and

5 (3) in paragraph (5), by adding at the end the
6 following: “Each sliding fee scale shall be applied
7 using measures to ensure that cost sharing is not a
8 barrier to the enrollment of families of homeless
9 children.”.

10 (c) ACCESS AND OUTREACH TO FAMILIES OF HOME-
11 LESS CHILDREN.—Section 658G of the Child Care and
12 Development Block Grant Act of 1990 (42 U.S.C. 9858e)
13 is amended—

14 (1) by inserting “(such as resource and referral
15 services)” after “and activities”; and

16 (2) by striking “(such as resource and referral
17 services).” and inserting “, including developing
18 strategies and partnerships to provide transportation
19 to child care services and specific outreach to fami-
20 lies described in section 658E(c)(2)(H)).” after
21 “availability of child care”.

22 (d) REPORTS.—Section 658K(a)(1)(B) of the Child
23 Care and Development Block Grant Act of 1990 (42
24 U.S.C. 9858i(a)(1)(B)) is amended—

25 (1) in clause (ix), by striking “and” at the end;

1 (2) in clause (x), by adding “and” at the end;

2 and

3 (3) by inserting after clause (x) the following:

4 “(xi) whether the children receiving
5 assistance under this subchapter are home-
6 less children;”.

7 **SEC. 5. PILOT PROGRAM.**

8 (a) REDESIGNATION.—Section 658L of the Child
9 Care and Development Block Grant Act of 1990 (42
10 U.S.C. 9858j) is amended—

11 (1) by striking the section heading;

12 (2) by inserting “(c) REPORT BY SEC-
13 RETARY.—” before “Not later”;

14 (3) by striking “section 658K” and inserting
15 “this section”; and

16 (4) by moving subsection (c) (as redesignated
17 by paragraph (2)) to the end of section 658K.

18 (b) ESTABLISHMENT OF PROGRAM.—The Child Care
19 and Development Block Grant Act of 1990 (42 U.S.C.
20 9858 et seq.) is amended by inserting after section 658K
21 (42 U.S.C. 9858i), as amended by subsection (a), the fol-
22 lowing:

23 **“SEC. 658L. PILOT PROGRAM.**

24 “(a) IN GENERAL.—The Secretary shall carry out a
25 pilot program to identify and implement best practices for

1 increasing access to and continuity of child care for home-
 2 less children.

3 “(b) GRANTS.—In carrying out the pilot program,
 4 the Secretary shall award to States not more than 5
 5 grants of not more than \$5,000,000 per grant. Each grant
 6 shall be for a period of not more than 3 years, beginning
 7 not later than March 31, 2013.

8 “(c) APPLICATION.—In order to be eligible to receive
 9 a grant under this section, a State shall submit an applica-
 10 tion to the Secretary at such time, in such manner, and
 11 containing such information as the Secretary shall require.

12 “(d) USE OF FUNDS.—A State that receives a grant
 13 under this section shall use the funds made available
 14 under the grant—

15 “(1) to establish a pilot project for—

16 “(A) implementing promising practices for
 17 increasing access to and continuity of child care
 18 for homeless children; and

19 “(B) identifying the best practices; and

20 “(2) to carry out subsection (e)(1).

21 “(e) ASSESSMENTS AND REPORTS.—

22 “(1) STATE RESPONSIBILITIES.—

23 “(A) ASSESSMENT.—A State that receives
 24 a grant under this section shall carry out data

1 collection for and an assessment of its pilot
2 project described in subsection (d)(1).

3 “(B) REPORT TO THE SECRETARY.—Not
4 later than 42 months after the first day of the
5 grant period for a pilot project described in
6 subsection (d)(1), the State carrying out the
7 pilot project shall submit to the Secretary a re-
8 port containing a summary of the results of the
9 assessment described in subparagraph (A), in-
10 cluding a description of the best practices iden-
11 tified.

12 “(2) SECRETARIAL RESPONSIBILITIES.—Not
13 later than 4 years after the first day of the latest
14 grant period for a pilot project, the Secretary shall
15 submit to Congress a report containing a summary
16 of the reports received under paragraph (1) and a
17 recommendation concerning whether and how to ex-
18 pand the pilot projects carried out with best prac-
19 tices.

20 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to carry out this section
22 such sums as may be necessary for each of fiscal years
23 2013 through 2015, which shall remain available through
24 fiscal year 2017.”.

1 **SEC. 6. DEFINITIONS.**

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

4 (1) in paragraph (4)(C)—

5 (A) in clause (i), by striking “or” at the
6 end;

7 (B) in clause (ii), by striking the period
8 and inserting “; or”; and

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

10 “(iii) is a homeless child.”; and

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

12 “(15) HOMELESS CHILD.—The term ‘homeless
13 child’ means a homeless child or youth, as defined
14 under section 725 of the McKinney-Vento Homeless
15 Assistance Act (42 U.S.C. 11434a).”.

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