To provide for child care services for families with infants or toddlers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2014

Ms. Frankel of Florida (for herself, Ms. Moore, Mr. Conyers, Ms. Brown of Florida, Ms. Kaptur, Mrs. Negrete McLeod, Ms. Norton, Ms. Clark of Massachusetts, Ms. Lee of California, Ms. Hanabusa, Mr. Nadler, Ms. Matsui, Mr. Johnson of Georgia, Ms. DeLauro, Mr. Meeks, Mr. Crowley, Mr. Loeb, Ms. McCollum, Mr. Honda, Mr. Cohen, Mr. Sablan, Mr. Lowenthal, Ms. Schakowsky, Ms. Eddie Bernice Johnson of Texas, Mr. Langevin, Mr. Rush, Mr. Enyart, Mr. Butterfield, Mr. Rangel, Ms. Meng, Ms. Titus, Mrs. Bustos, Ms. Chu, Mr. Hastings of Florida, Mr. Cicilline, Mr. Grayson, Mr. Grijalva, Mr. Yarmuth, Mr. Garamendi, Mr. Deutch, Ms. Castor of Florida, Ms. Edwards, Ms. Brownley of California, Ms. Pingree of Maine, Ms. Slaughter, Mr. Tonko, Ms. Bass, Ms. Hahn, Ms. Wilson of Florida, Mrs. Kirkpatrick, Ms. Sewell of Alabama, Mr. Sean Patrick Maloney of New York, Ms. Wasserman Schultz, Ms. Shea-Porter, Ms. Clarke of New York, Mr. Vargas, Ms. Fudge, Mr. McGovern, Ms. Esty, Mr. Ellison, Mr. Tierney, Mr. Keating, Mr. Carson of Indiana, Ms. Lofgren, and Mrs. Lowey) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for child care services for families with infants or toddlers, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Working Families
Child Care Act of 2014”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Child care for infants and toddlers is often
difficult to access or afford. Only about a third of
care centers serve infants. While 70 percent of
centers serve toddlers, only a third of teachers re-
port that they care for children under age 3. About
half of all requests to child care resource and refer-
ral agencies concern care for infants and toddlers.

(2) Child care is second only to the family as
the setting in which early development takes place
for many infants and toddlers. Sixty-one percent of
mothers with children younger than 3 years of age
are in the labor force and over 6,000,000 children
younger than 3 years of age are cared for by some-
one other than their parents for some part or all of
the day. Therefore, the relationship between the
child and the child care provider often plays a sig-
nificant role in child development.
(3) Dramatic brain development in a child’s first 3 years of life, shaped by the quality of early experiences and relationships with trusted adults, builds the foundational architecture for thinking, reasoning, language, emotion, and self-regulation.

(4) Early adverse experiences, such as economic hardship, unstable housing, poor nutrition, abuse or neglect, or parental mental health or substance abuse problems, affect brain development, with effects on long-term productivity and health that can last a life-time. Children with such hardships early in life often experience high levels of chronic stress, which can alter the brain’s architecture and undermine developing biological systems. Almost half of all infants and toddlers live in low-income families, and 61 percent have at least one risk factor for poor health or developmental outcomes.

(5) Teachers serving infants and toddlers receive wages that are 28 percent lower than those of teachers serving 3–5 year olds. Some difference remains even when education is taken into account. The median hourly wage for a teacher with a BA degree serving infants and toddlers is $11.30 compared with $15.50 for teachers serving 3–5 year-olds.
(6) Low reimbursement rates to providers make it extremely challenging to offer high quality care to low-income children. In 2013, just three states set their reimbursement rates at the 75th percentile of current market rates. Many states set their rates substantially below the 75th percentile.

(7) Research shows that high-quality child care can mitigate some of the effects of adverse experiences, including poverty, and that low-income children in particular can benefit from high-quality child care that provides nurturing, child-centered teachers and a safe, predictable environment. Yet, at-risk children younger than 3 years of age often receive low-quality child care that can lead to poor developmental outcomes.

(8) High-quality child care has been shown to promote positive cognitive, language, and social and emotional development, and contribute to academic success. Specifically, high-quality child care can also help improve a child’s communication skills, behavioral skills, math and language assessment scores, and verbal intelligence.

(9) Research has found strong connections between provider education and training levels and child care quality, including positive caregiving that
can improve child outcomes. More than a quarter of
infant-toddler teachers have only a high school edu-
cation, twice the rate for teachers of preschool age
children. 19 percent of infant-toddler teachers have
a bachelor’s degree compared with 45 percent of
teachers of 3–5 year olds. Twenty-seven States have
an infant-toddler credential defining the particular
knowledge and skills needed to work with children
younger than 3 years of age, but only 17 States re-
quire specific qualifications for infant-toddler staff.

(10) Twenty-four percent of infants and tod-
dlers receiving CCDBG subsidies are cared for in
family child care homes. Family child care networks
that create a supportive relationship with a specially
trained coordinator and provide on-site training and
mentoring have been shown to improve the quality
of family child care providers.

(11) Twenty-seven States use infant and tod-
dler specialist networks as the structure for pro-
viding training and technical assistance, using re-
search-based training and techniques such as men-
toring and on-site coaching, to all types of providers
of child care for infants or toddlers.

(12) Infants and toddlers have unique needs
that differ from those of older children in areas such
as health and safety, interaction with teachers and caregivers, and learning, yet not all States recognize those differences in their Quality Rating and Improvement Systems. Just 16 States have infant and toddler standards in their Quality Rating and Improvement Systems.

**SEC. 3. MANDATORY CHILD CARE FUNDING FOR FAMILIES WITH INFANTS OR TODDLERS.**

Section 418 of the Social Security Act (42 U.S.C. 618) is amended by adding at the end the following:

“(e) Supplemental Entitlement for Child Care Assistance for Families With Infants or Toddlers.—

“(1) In general.—Each State to which an amount is required to be paid under subsection (a)(2)(C) for a fiscal year shall, for the purpose of providing child care assistance for families with a child who has not attained 3 years of age, be entitled to payments for the fiscal year under a grant made under this subsection.

“(2) Federal matching of state expenditures.—The amount of the grant payable to a State under this subsection for a fiscal year shall be the lesser of—
“(A) the allotment of the State under paragraph (3) for the fiscal year; or

“(B) the Federal medical assistance percentage for the State for the fiscal year (as defined in section 1905(b), as such section was in effect on September 30, 1995) of the total amount of the State’s expenditures for child care in the fiscal year not taken into account under subsection (a)(2) for the fiscal year.

“(3) ALLOTMENTS TO STATES.—The allotment of a State under this paragraph for a fiscal year shall be—

“(A) the total amount available for payments to States under this subsection for the fiscal year, after making the reservation required by paragraph (6); multiplied by

“(B)(i) the number of children who have not attained 3 years of age who reside in the State; divided by

“(ii) the total number of such children who reside in all States.

“(4) REDISTRIBUTION.—

“(A) IN GENERAL.—The 1st sentence of subsection (a)(2)(D)(i) shall apply with respect to amounts appropriated under paragraph (5)
of this subsection in the same manner in which
that sentence applies with respect to amounts
appropriated under subsection (a)(3). The
amounts available for redistribution by reason
of the preceding sentence shall be redistributed
to a State based on the formula set forth in
paragraph (3)(B) of this subsection.

“(B) Time of determination and dis-
tribution.—Subsection (a)(2)(D)(ii) shall
apply with respect to amounts appropriated
under paragraph (5) of this subsection in the
same manner in which subsection (a)(2)(D)(ii)
applies with respect to amounts appropriated
under subsection (a)(3).

“(5) Appropriation.—For grants under this
subsection, there are appropriated $2,000,000,000
for each fiscal year.

“(6) Indian tribes.—The Secretary shall re-
serve not less than 1 percent, and not more than 2
percent, of the aggregate amount appropriated to
carry out this section in each fiscal year for pay-
ments to Indian tribes and tribal organizations.

“(7) Use of funds.—Notwithstanding sub-
section (c), subsection (b) shall apply with respect to
amounts appropriated under paragraph (5) of this
subsection in the same manner in which subsection (b) applies with respect to amounts appropriated under subsection (a)(3), except that amounts received by a State under this subsection shall be used—

“(A) to provide child care assistance only to families described in paragraph (1) of this subsection who are not otherwise receiving child care assistance under this section; and

“(B) to increase reimbursement rates to providers of child care services to such families.”.

SEC. 4. HIGH-QUALITY INFANT AND TODDLER CHILD CARE PROGRAM.

(a) HIGH-QUALITY INFANT AND TODDLER CARE PROGRAM.—The Child Care and Development Block Grant Act of 1990 is amended by inserting after section 658G (42 U.S.C. 9858e) the following:

“SEC. 658H. HIGH-QUALITY INFANT AND TODDLER CARE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE INFANT OR TODDLER CARE PROVIDER.—The term ‘eligible infant or toddler care provider’ means an eligible child care provider, con-
sistent with section 658P, who provides care to an infant or toddler.

“(2) INFANT OR TODDLER.—The term ‘infant or toddler’ means an individual under 3 years of age.

“(3) INFANT OR TODDLER WITH A DEVELOPMENTAL DELAY OR DISABILITY.—

“(A) IN GENERAL.—The term ‘infant or toddler with a developmental delay or disability’ has the meaning given the term ‘infant or toddler with a disability’ in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

“(B) PLURAL FORM.—The term ‘infants and toddlers with developmental delays or disabilities’ means more than 1 infant or toddler with a developmental delay or disability.

“(4) DUAL LANGUAGE LEARNER.—The term ‘dual language learner’ means an individual who is limited English proficient as defined in section 637 of the Head Start Act (42 U.S.C. 9832).

“(5) LOW-INCOME COMMUNITY.—The term ‘low-income community’ shall be defined by the Secretary.
“(6) LOW-INCOME FAMILY.—The term ‘low-income family’ means a family with a family income described in section 658P(4)(B).

“(b) GRANTS.—

“(1) IN GENERAL.—The Secretary shall make grants to eligible States, from allotments described in paragraph (2), to enable the States to improve the quality of care for infants and toddlers.

“(2) ALLOTMENTS.—

“(A) AMOUNTS RESERVED.—

“(i) TERRITORIES AND POSSESSIONS.—The Secretary shall reserve an amount not to exceed 0.5 percent of the amount appropriated under this section for each fiscal year for payments to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

“(ii) INDIAN TRIBES.—The Secretary shall reserve not less than 1 percent, and not more than 2 percent, of the amount appropriated under this section for each fiscal year for payments to Indian tribes.
and tribal organizations with applications approved under section 658O(e).

“(B) ALLOTMENTS TO STATES.—After making reservations under subparagraph (A), the Secretary shall use the remainder of the amount appropriated under this section for a fiscal year to allot to each State an amount that bears the same relationship to that remainder as the amount allotted to the State under section 658O for that fiscal year bears to the amount allotted to all States under section 658O for that fiscal year.

“(C) STATE.—In this paragraph, the term ‘State’ does not include Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands.

“(e) AMENDMENT TO STATE PLANS.—A State that receives a grant under this section shall include in the State’s plan under section 658E, a description of how the State will use funds provided under this section to improve the quality of infant and toddler care.

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—A State that receives a grant under this section shall use the funds made
available through the grant to carry out 1 or more
of the activities described in paragraphs (2) through
(7).

“(2) INCREASING HIGH-QUALITY INFANT AND
TODDLER CARE.—

“(A) IN GENERAL.—A State may use the
funds described in paragraph (1) to make
grants to eligible entities to be resources for eli-
gible infant and toddler care providers, to im-
prove the quality of early care and development
services provided to infants and toddlers in the
community from low-income families and to
help such providers serving low-income families
improve their capacity to offer high-quality care
to such families.

“(B) ELIGIBLE ENTITY.—To be eligible to
receive a grant under this paragraph, an entity
shall be an eligible child care provider that—

“(i) serves infants and toddlers from
low-income families; and

“(ii)(I) is ranked at the top level of
the State’s Quality Rating and Improve-
ment System or similar rating system or
accredited by a national accrediting body
recognized, before the date of enactment of
the Infant and Toddler Care Improvement Act, for high-quality program standards that are valid and reliable; or

“(II) is an Early Head Start agency under section 645A of the Head Start Act (42 U.S.C. 9840a) that is in full compliance with the performance standards applicable to such an agency under the Head Start Act (42 U.S.C. 9831 et seq.).

“(C) PRIORITY.—In making grants under this paragraph, a State—

“(i) shall give priority to entities that will serve significant populations of low-income families; and

“(ii) may give priority to entities that—

“(I) are located in low-income communities;

“(II) will serve communities with significant populations of families with children who are dual language learners; or

“(III) will increase the ability of caregivers to provide appropriate services and coordinate activities with
State and local systems providing services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.) for children with developmental delays or disabilities, including such children in the child welfare system of the State.

“(3) **Staffed Family Child Care Networks or Systems.**—

“(A) **In general.**—A State may use the funds described in paragraph (1) to make grants to organizations with expertise in providing child care and related technical assistance, to establish new staffed family child care networks (new as of the date of amendment of the State plan under subsection (c)) or to operate existing staffed family child care networks or systems that offer, to family child care providers who are eligible infant and toddler care providers, technical assistance, training, administrative support, or direct services including monitoring visits to providers.

“(B) **Priority.**—In making grants under this paragraph, a State—
“(i) shall give priority to organizations described in paragraph (2)(C)(I); and

“(ii) may give priority to organizations that have 1 or more of the 3 characteristics described in paragraph (2)(C)(ii).

“(4) STATEWIDE NETWORK OF INFANT AND TODDLER SPECIALISTS.—

“(A) IN GENERAL.—A State may use the funds described in paragraph (1) to support, or to make a grant to an organization with expertise in providing child care technical assistance to support, a statewide network of specialists who are eligible infant and toddler care providers, that shall—

“(i) provide individual or group training and intensive consultation services to eligible infant and toddler care providers, including relative caregivers, on strategies to improve the quality of care for infants and toddlers; and

“(ii) assist eligible infant and toddler care providers in coordinating activities with other offices responsible for child care, including Early Head Start programs and Head Start programs carried out
under the Head Start Act (42 U.S.C. 9831 et seq.).

“(B) PRIORITY.—In delivering services or making grants under this paragraph, a State—

“(i) shall give priority to networks that deliver support to providers described in paragraph (2)(C)(i); and

“(ii) may give priority to networks that deliver support to providers that have 1 or more of the 3 characteristics described in paragraph (2)(C)(ii).

“(5) STATE WORKFORCE QUALITY INITIATIVES.—

“(A) IN GENERAL.—A State may use the funds described in paragraph (1) to support initiatives to improve the quality of the workforce of eligible infant and toddler care providers, including activities that are culturally and linguistically competent to support a diverse workforce reflecting the race and ethnicity of children served, such as—

“(i) providing relevant training, professional development, or mentoring to eligible infant and toddler care providers, including linking the training, development,
or mentoring to career pathways for eligible infant and toddler care providers;

“(ii) providing scholarships or other financial support to eligible infant and toddler care providers to advance their education and training;

“(iii) coordinating activities with the State’s higher education system to expand the availability and quality of coursework for infant and toddler care providers, including developing career pathways for eligible infant and toddler care providers; or

“(iv) improving the State credentialing of eligible infant and toddler care providers.

“(6) SYSTEMS QUALITY.—A State may use the funds described in paragraph (1) to—

“(A) develop infant and toddler components for the State’s Quality Rating and Improvement System or similar rating system, child care licensing regulations, or voluntary early learning guidelines;

“(B) improve the ability of parents to obtain information about high-quality infant and toddler care; or
“(C) assist eligible infant and toddler care providers seeking to improve the quality of their infant and toddler care by increasing their ranking on the State’s Quality Rating and Improvement System or similar rating system, meeting performance standards applicable to an Early Head Start agency under the Head Start Act (42 U.S.C. 9831 et seq.), or becoming accredited by a national accrediting body described in paragraph (2)(B)(ii).

“(7) Other high-quality initiatives.—A State may use the funds described in paragraph (1) to carry out other activities determined by the State to improve the quality of infant and toddler care provided in the State and for which there is evidence that the activities will lead to improved infant and toddler safety, infant and toddler development, or infant and toddler well-being.

“(e) Reporting.—A State that receives a grant under subsection (b) shall submit in the State’s annual reports required under section 658K(a)(2), information on how the State is using the funding provided under subsection (b) to improve the quality of infant and toddler care and the effect such funding is having on the quality of infant and toddler care in the State.
“(f) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $500,000,000 for fiscal year 2015 and $500,000,000 for each subsequent fiscal year.”.

(b) Conforming Amendments.—

(1) Authorization.—Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended by inserting “(other than section 658H)” after “subchapter”.

(2) Allotment.—Section 658O(a)(1) of such Act (42 U.S.C. 9858m(a)(1)) is amended by striking “this subchapter” and inserting “section 658B”.