

In the House of Representatives, U. S.,

September 15, 2014.

Resolved, That the bill from the Senate (S. 1086) entitled “An Act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

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

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

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

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

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

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

13 *“(1) to allow each State maximum flexibility in*
14 *developing child care programs and policies that best*

1 *suit the needs of children and parents within that*
2 *State;*

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

7 “(3) *to encourage States to provide consumer*
8 *education information to help parents make informed*
9 *choices about child care services and to promote in-*
10 *volvement by parents and family members in the de-*
11 *velopment of their children in child care settings;*

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

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

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

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

4 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

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

13 **SEC. 4. LEAD AGENCY.**

14 (a) *DESIGNATION*.—Section 658D(a) of the Child Care
 15 and Development Block Grant Act of 1990 (42 U.S.C.
 16 9858b(a)) is amended—

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

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

1 (b) *COLLABORATION WITH TRIBES.*—Section
 2 658D(b)(1) of the Child Care and Development Block Grant
 3 Act of 1990 (42 U.S.C. 9858b(b)(1)) is amended—

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

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

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

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

14 **SEC. 5. APPLICATION AND PLAN.**

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

18 (b) *POLICIES AND PROCEDURES.*—Section 658E(c) of
 19 the Child Care and Development Block Grant Act of 1990
 20 (42 U.S.C. 9858c(c)) is amended—

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

23 (2) in paragraph (2)—

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

1 (B) by striking subparagraphs (D) through
2 (H); and

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

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

22 “(E) *CONSUMER AND PROVIDER EDUCATION*
23 *INFORMATION.—The plan shall include a certifi-*
24 *cation that the State will collect and disseminate*
25 *(which dissemination may be done, except as*

1 *otherwise specified in this subparagraph, through*
 2 *resource and referral organizations or other*
 3 *means as determined by the State) to parents of*
 4 *eligible children, the general public, and, where*
 5 *applicable, providers—*

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

10 *“(I) the availability of child care*
 11 *services provided through programs au-*
 12 *thorized by this subchapter and, if fea-*
 13 *sible, other child care services and*
 14 *other programs provided in the State*
 15 *for which the family may be eligible, as*
 16 *well as the availability of financial as-*
 17 *sistance to obtain child care services in*
 18 *the State;*

19 *“(II) if available, information*
 20 *about the quality of providers, as deter-*
 21 *mined by the State, that can be pro-*
 22 *vided through a Quality Rating and*
 23 *Improvement System;*

24 *“(III) information, made avail-*
 25 *able through a State Web site, describ-*

ing the State process for licensing child care providers, the State processes for conducting background checks, and monitoring and inspections, of child care providers, and the offenses that prevent individuals and entities from serving as child care providers in the State;

“(IV) other programs for which families that receive child care services for which financial assistance is provided under this subchapter may be eligible, including the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), Head Start and Early Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.), the program carried out under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), the supplemental nutrition assistance program established under the Food and

1 *Nutrition Act of 2008 (7 U.S.C. 2011*
 2 *et seq.), the special supplemental nutri-*
 3 *tion program for women, infants, and*
 4 *children established under section 17 of*
 5 *the Child Nutrition Act of 1966 (42*
 6 *U.S.C. 1786), the child and adult care*
 7 *food program established under section*
 8 *17 of the Richard B. Russell National*
 9 *School Lunch Act (42 U.S.C. 1766),*
 10 *and the Medicaid and State children’s*
 11 *health insurance programs under titles*
 12 *XIX and XXI of the Social Security*
 13 *Act (42 U.S.C. 1396 et seq., 1397aa et*
 14 *seq.);*

15 “(V) programs carried out under
 16 section 619 and part C of the Individ-
 17 uals with Disabilities Education Act
 18 (20 U.S.C. 1419, 1431 et seq.);

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

velopment (particularly healthy eating and physical activity); and

“(VII) the State policies regarding the social-emotional behavioral health of young children, which may include positive behavioral intervention and support models, and policies on expulsion of preschool-aged children, in early childhood programs receiving assistance under this subchapter; and

“(ii) information on developmental screenings, including—

“(I) information on existing (as of the date of submission of the application containing the plan) resources and services the State can deploy, including the coordinated use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Edu-

1 *cation Act (20 U.S.C. 1419, 1431 et*
 2 *seq.), in conducting developmental*
 3 *screenings and providing referrals to*
 4 *services, when appropriate, for children*
 5 *who receive assistance under this sub-*
 6 *chapter; and*

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

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

19 “(i) IN GENERAL.—The plan shall in-
 20 clude a certification that the State involved
 21 has in effect licensing requirements applica-
 22 ble to child care services provided within the
 23 State, and provide a detailed description of
 24 such requirements and of how such require-
 25 ments 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 (i),*
 6 *the plan shall include a description stating*
 7 *why such licensing exemption does not en-*
 8 *danger the health, safety, or development of*
 9 *children who receive services from child care*
 10 *providers who are exempt from such re-*
 11 *quirements.*

12 “(G) *TRAINING AND PROFESSIONAL DEVEL-*
 13 *OPMENT REQUIREMENTS.*—

14 “(i) *IN GENERAL.*—The plan shall de-
 15 *scribe the training and professional develop-*
 16 *ment requirements that are in effect within*
 17 *the State designed to enable child care pro-*
 18 *viders to promote the social, emotional,*
 19 *physical, and cognitive development of chil-*
 20 *dren and to improve the knowledge and*
 21 *skills of the child care workforce. Such re-*
 22 *quirements shall be applicable to child care*
 23 *providers that provide services for which as-*
 24 *sistance is provided in accordance with this*
 25 *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 devel-*
12 *opmental needs of participating chil-*
13 *dren, and improve the quality of, and*
14 *stability within, the child care work-*
15 *force;*

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) of*
21 *the Head Start Act (42 U.S.C.*
22 *9837b(b)(1)(A)(i))), and may engage*
23 *training providers in aligning train-*
24 *ing opportunities with the State’s*
25 *training framework;*

1 “(III) incorporates knowledge and
 2 application of the State’s early learn-
 3 ing and developmental guidelines
 4 (where applicable), the State’s health
 5 and safety standards, and incorporates
 6 social-emotional behavior intervention
 7 models, which may include positive be-
 8 havior intervention and support mod-
 9 els;

10 “(IV) shall be accessible to pro-
 11 viders supported through Indian tribes
 12 or tribal organizations that receive as-
 13 sistance under this subchapter; and

14 “(V) to the extent practicable, are
 15 appropriate for a population of chil-
 16 dren that includes—

17 “(aa) different age groups;

18 “(bb) English learners;

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

21 “(dd) Native Americans, in-
 22 cluding Indians, as the term is
 23 defined in section 4 of the Indian
 24 Self-Determination and Edu-
 25 cation Assistance Act (25 U.S.C.

1 450b) (including Alaska Natives
 2 within the meaning of that term),
 3 and Native Hawaiians (as defined
 4 in section 7207 of the Elementary
 5 and Secondary Education Act of
 6 1965 (20 U.S.C. 7517)).

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

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

20 “(H) *CHILD-TO-PROVIDER RATIO STAND-*
 21 *ARDS.*—

22 “(i) *STANDARDS.*—The plan shall de-
 23 scribe child care standards for child care
 24 services for which assistance is made avail-
 25 able in accordance with this subchapter, ap-

1 *appropriate to the type of child care setting*
2 *involved, to provide for the safety and devel-*
3 *opmental needs of the children served, that*
4 *address—*

5 *“(I) group size limits for specific*
6 *age populations, as determined by the*
7 *State;*

8 *“(II) the appropriate ratio be-*
9 *tween the number of children and the*
10 *number of providers, in terms of the*
11 *age of the children in child care, as de-*
12 *termined by the State; and*

13 *“(III) required qualifications for*
14 *such providers, as determined by the*
15 *State.*

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

1 “(I) *HEALTH AND SAFETY REQUIRE-*
 2 *MENTS.—The plan shall include a certification*
 3 *that there are in effect within the State, under*
 4 *State or local law, requirements designed to pro-*
 5 *tect the health and safety of children that are ap-*
 6 *plicable to child care providers that provide serv-*
 7 *ices for which assistance is made available in ac-*
 8 *cordance with this subchapter. Such require-*
 9 *ments—*

10 “(i) *shall relate to matters including*
 11 *health and safety topics consisting of—*

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

22 “(II) *prevention of sudden infant*
 23 *death syndrome and use of safe sleep-*
 24 *ing practices;*

1 “(III) the administration of medi-
2 cation, consistent with standards for
3 parental consent;

4 “(IV) the prevention of and re-
5 sponse to emergencies due to food and
6 allergic reactions;

7 “(V) building and physical prem-
8 ises safety, including identification of
9 and protection from hazards that can
10 cause bodily injury such as electrical
11 hazards, bodies of water, and vehicular
12 traffic;

13 “(VI) prevention of shaken baby
14 syndrome and abusive head trauma;

15 “(VII) emergency preparedness
16 and response planning for emergencies
17 resulting from a natural disaster, or a
18 man-caused event (such as violence at
19 a child care facility), within the mean-
20 ing of those terms under section
21 602(a)(1) of the Robert T. Stafford
22 Disaster Relief and Emergency Assist-
23 ance Act (42 U.S.C. 5195a(a)(1));

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

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

8 “(X) first aid and
9 cardiopulmonary resuscitation; and

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

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

24 “(J) COMPLIANCE WITH STATE AND LOCAL
25 HEALTH AND SAFETY REQUIREMENTS.—The

1 *plan shall include a certification that procedures*
 2 *are in effect to ensure that child care providers*
 3 *within the State, that provide services for which*
 4 *assistance is made available in accordance with*
 5 *this subchapter, comply with all applicable State*
 6 *and local health and safety requirements as de-*
 7 *scribed in subparagraph (I).*

8 “(K) *ENFORCEMENT OF LICENSING AND*
 9 *OTHER REGULATORY REQUIREMENTS.—*

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

21 “(I) *ensure that individuals who*
 22 *are hired as licensing inspectors in the*
 23 *State are qualified to inspect those*
 24 *child care providers and facilities and*
 25 *have received training in related health*

1 *and safety requirements, and are*
2 *trained in all aspects of the State's li-*
3 *censure requirements;*

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

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

15 “(bb) *not less than annually,*
16 *an inspection (which shall be un-*
17 *announced) of each such child*
18 *care provider and facility in the*
19 *State for compliance with all*
20 *child care licensing standards,*
21 *which shall include an inspection*
22 *for compliance with health, safety,*
23 *and fire standards (inspectors*
24 *may inspect for compliance with*
25 *all 3 standards at the same time);*

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

9 “(IV) require licensing inspectors
10 (or qualified inspectors designated by
11 the lead agency) of child care providers
12 and facilities to perform an annual in-
13 spection of each license-exempt pro-
14 vider in the State receiving funds
15 under this subchapter (unless the pro-
16 vider is an eligible child care provider
17 as described in section 658P(6)(B)) for
18 compliance with health, safety, and
19 fire standards, at a time to be deter-
20 mined by the State.

21 “(ii) CONSTRUCTION.—The Secretary
22 may offer guidance to a State, if requested
23 by the State, on a research-based minimum
24 standard regarding ratios described in
25 clause (i)(III) and provide technical assist-

1 *ance to the State on meeting the minimum*
 2 *standard within a reasonable time period,*
 3 *but shall not prescribe a particular ratio.*

4 “(L) *COMPLIANCE WITH CHILD ABUSE RE-*
 5 *PORTING REQUIREMENTS.—The plan shall in-*
 6 *clude a certification that child care providers*
 7 *within the State will comply with the child*
 8 *abuse reporting requirements of section*
 9 *106(b)(2)(B)(i) of the Child Abuse Prevention*
 10 *and Treatment Act (42 U.S.C.*
 11 *5106a(b)(2)(B)(i)).*

12 “(M) *MEETING THE NEEDS OF CERTAIN*
 13 *POPULATIONS.—The plan shall describe how the*
 14 *State will develop and implement strategies*
 15 *(which may include alternative reimbursement*
 16 *rates to child care providers, the provision of di-*
 17 *rect contracts or grants to community-based or-*
 18 *ganizations, offering child care certificates to*
 19 *parents, or other means determined by the State)*
 20 *to increase the supply and improve the quality*
 21 *of child care services for—*

22 “(i) *children in underserved areas;*

23 “(ii) *infants and toddlers;*

24 “(iii) *children with disabilities, as de-*
 25 *fined by the State; and*

1 “(iv) *children who receive care during*
 2 *nontraditional hours.*

3 “(N) *PROTECTION FOR WORKING PAR-*
 4 *ENTS.—*

5 “(i) *MINIMUM PERIOD.—*

6 “(I) *12-MONTH PERIOD.—The*
 7 *plan shall demonstrate that each child*
 8 *who receives assistance under this sub-*
 9 *chapter in the State will be considered*
 10 *to meet all eligibility requirements for*
 11 *such assistance and will receive such*
 12 *assistance, for not less than 12 months*
 13 *before the State or designated local en-*
 14 *tity redetermines the eligibility of the*
 15 *child under this subchapter, regardless*
 16 *of a temporary change in the ongoing*
 17 *status of the child’s parent as working*
 18 *or attending a job training or edu-*
 19 *cational program or a change in fam-*
 20 *ily income for the child’s family, if*
 21 *that family income does not exceed 85*
 22 *percent of the State median income for*
 23 *a family of the same size.*

24 “(II) *FLUCTUATIONS IN EARN-*
 25 *INGS.—The plan shall demonstrate how*

1 *the State's or designated local entity's*
 2 *processes for initial determination and*
 3 *redetermination of such eligibility take*
 4 *into account irregular fluctuations in*
 5 *earnings.*

6 “(ii) *REDETERMINATION PROCESS.*—

7 *The plan shall describe the procedures and*
 8 *policies that are in place to ensure that*
 9 *working parents (especially parents in fam-*
 10 *ilies receiving assistance under the program*
 11 *of block grants to States for temporary as-*
 12 *sistance for needy families under part A of*
 13 *title IV of the Social Security Act (42*
 14 *U.S.C. 601 et seq.)) are not required to un-*
 15 *duly disrupt their employment in order to*
 16 *comply with the State's or designated local*
 17 *entity's requirements for redetermination of*
 18 *eligibility for assistance provided in accord-*
 19 *ance with this subchapter.*

20 “(iii) *PERIOD BEFORE TERMINATION.*—

21 *At the option of the State, the*
 22 *plan shall demonstrate that the State will*
 23 *not terminate assistance provided to carry*
 24 *out this subchapter based on a factor con-*
 25 *sisting of a parent's loss of work or ces-*

sation of attendance at a job training or educational program for which the family was receiving the assistance, without continuing the assistance for a reasonable period of time, of not less than 3 months, after such loss or cessation in order for the parent to engage in a job search and resume work, or resume attendance at a job training or educational program, as soon as possible.

“(iv) GRADUATED PHASEOUT OF CARE.—The plan shall describe the policies and procedures that are in place to allow for provision of continued assistance to carry out this subchapter, at the beginning of a new eligibility period under clause (i)(I), for children of parents who are working or attending a job training or educational program and whose family income exceeds the State’s income limit to initially qualify for such assistance, if the family income for the family involved does not exceed 85 percent of the State median income for a family of the same size.

“(O) COORDINATION WITH OTHER PROGRAMS.—

1 “(i) *IN GENERAL.*—The plan shall de-
 2 scribe how the State, in order to expand ac-
 3 cessibility and continuity of care, and assist
 4 children enrolled in early childhood pro-
 5 grams to receive full-day services, will effi-
 6 ciently, and to the extent practicable, co-
 7 ordinate the services supported to carry out
 8 this subchapter with programs operating at
 9 the Federal, State, and local levels for chil-
 10 dren in preschool programs, tribal early
 11 childhood programs, and other early child-
 12 hood programs, including those serving in-
 13 fants and toddlers with disabilities, home-
 14 less children, and children in foster care.

15 “(ii) *OPTIONAL USE OF COMBINED*
 16 *FUNDS.*—If the State elects to combine fund-
 17 ing for the services supported to carry out
 18 this subchapter with funding for any pro-
 19 gram described in clause (i), the plan shall
 20 describe how the State will combine the
 21 multiple sets of funding and use the com-
 22 bined funding.

23 “(iii) *RULE OF CONSTRUCTION.*—Noth-
 24 ing in clause (i) shall be construed to affect
 25 the priority of children described in clause

1 *(i) to receive full-day prekindergarten or*
2 *Head Start program services.*

3 “(P) *PUBLIC-PRIVATE PARTNERSHIPS.—The*
4 *plan shall demonstrate how the State encourages*
5 *partnerships among State agencies, other public*
6 *agencies, Indian tribes and tribal organizations,*
7 *and private entities, including faith-based and*
8 *community-based organizations, to leverage ex-*
9 *isting service delivery systems (as of the date of*
10 *the submission of the application containing the*
11 *plan) for child care and development services*
12 *and to increase the supply and quality of child*
13 *care services for children who are less than 13*
14 *years of age, such as by implementing voluntary*
15 *shared services alliance models.*

16 “(Q) *PRIORITY FOR LOW-INCOME POPU-*
17 *LATIONS.—The plan shall describe the process the*
18 *State proposes to use, with respect to investments*
19 *made to increase access to programs providing*
20 *high-quality child care and development services,*
21 *to give priority for those investments to children*
22 *of families in areas that have significant con-*
23 *centrations of poverty and unemployment and*
24 *that do not have such programs.*

1 “(R) *CONSULTATION.*—*The plan shall in-*
 2 *clude a certification that the State has developed*
 3 *the plan in consultation with the State Advisory*
 4 *Council on Early Childhood Education and Care*
 5 *designated or established pursuant to section*
 6 *642B(b)(1)(A)(i) of the Head Start Act (42*
 7 *U.S.C. 9837b(b)(1)(A)(i)).*

8 “(S) *PAYMENT PRACTICES.*—*The plan shall*
 9 *include—*

10 “(i) *a certification that the payment*
 11 *practices of child care providers in the State*
 12 *that serve children who receive assistance*
 13 *under this subchapter reflect generally ac-*
 14 *cepted payment practices of child care pro-*
 15 *viders in the State that serve children who*
 16 *do not receive assistance under this sub-*
 17 *chapter, so as to provide stability of fund-*
 18 *ing and encourage more child care pro-*
 19 *viders to serve children who receive assist-*
 20 *ance under this subchapter; and*

21 “(ii) *an assurance that the State will,*
 22 *to the extent practicable, implement enroll-*
 23 *ment and eligibility policies that support*
 24 *the fixed costs of providing child care serv-*
 25 *ices by delinking provider reimbursement*

1 *rates from an eligible child's occasional ab-*
 2 *sences due to holidays or unforeseen cir-*
 3 *cumstances such as illness.*

4 “(T) *EARLY LEARNING AND DEVELOP-*
 5 *MENTAL GUIDELINES.*—

6 “(i) *IN GENERAL.*—*The plan shall in-*
 7 *clude an assurance that the State will*
 8 *maintain or implement early learning and*
 9 *developmental guidelines (or develop such*
 10 *guidelines if the State does not have such*
 11 *guidelines as of the date of enactment of the*
 12 *Child Care and Development Block Grant*
 13 *Act of 2014) that are appropriate for chil-*
 14 *dren from birth to kindergarten entry, de-*
 15 *scribing what such children should know*
 16 *and be able to do, and covering the essential*
 17 *domains of early childhood development for*
 18 *use statewide by child care providers. Such*
 19 *guidelines shall—*

20 “(I) *be research-based, develop-*
 21 *mentally appropriate, and aligned*
 22 *with entry to kindergarten;*

23 “(II) *be implemented in consulta-*
 24 *tion with the state educational agency*
 25 *and the State Advisory Council on*

1 *Early Childhood Education and Care*
 2 *(designated or established pursuant to*
 3 *section 642B(b)(I)(A)(i) of the Head*
 4 *Start Act (42 U.S.C.*
 5 *9837b(b)(1)(A)(i)); and*

6 *“(III) be updated as determined*
 7 *by the State.*

8 *“(ii) PROHIBITION ON USE OF*
 9 *FUNDS.—The plan shall include an assur-*
 10 *ance that funds received by the State to*
 11 *carry out this subchapter will not be used*
 12 *to develop or implement an assessment for*
 13 *children that—*

14 *“(I) will be the sole basis for a*
 15 *child care provider being determined to*
 16 *be ineligible to participate in the pro-*
 17 *gram carried out under this sub-*
 18 *chapter;*

19 *“(II) will be used as the primary*
 20 *or sole basis to provide a reward or*
 21 *sanction for an individual provider;*

22 *“(III) will be used as the primary*
 23 *or sole method for assessing program*
 24 *effectiveness; or*

1 “(IV) *will be used to deny chil-*
 2 *dren eligibility to participate in the*
 3 *program carried out under this sub-*
 4 *chapter.*

5 “(iii) *EXCEPTIONS.—Nothing in this*
 6 *subchapter shall preclude the State from*
 7 *using a single assessment as determined by*
 8 *the State for children for—*

9 “(I) *supporting learning or im-*
 10 *proving a classroom environment;*

11 “(II) *targeting professional devel-*
 12 *opment to a provider;*

13 “(III) *determining the need for*
 14 *health, mental health, disability, devel-*
 15 *opmental delay, or family support*
 16 *services;*

17 “(IV) *obtaining information for*
 18 *the quality improvement process at the*
 19 *State level; or*

20 “(V) *conducting a program eval-*
 21 *uation for the purposes of providing*
 22 *program improvement and parent in-*
 23 *formation.*

24 “(iv) *NO FEDERAL CONTROL.—Nothing*
 25 *in this section shall be construed to author-*

1 *ize an officer or employee of the Federal*
 2 *Government to—*

3 *“(I) mandate, direct, control, or*
 4 *place conditions (outside of what is re-*
 5 *quired by this subchapter) around*
 6 *adopting a State’s early learning and*
 7 *developmental guidelines developed in*
 8 *accordance with this section;*

9 *“(II) establish any criterion that*
 10 *specifies, defines, prescribes, or places*
 11 *conditions (outside of what is required*
 12 *by this subchapter) on a State adopt-*
 13 *ing standards or measures that a State*
 14 *uses to establish, implement, or im-*
 15 *prove such guidelines, related account-*
 16 *ability systems, or alignment of such*
 17 *guidelines with education standards; or*

18 *“(III) require a State to submit*
 19 *such guidelines for review.*

20 *“(U) DISASTER PREPAREDNESS.—*

21 *“(i) IN GENERAL.—The plan shall*
 22 *demonstrate the manner in which the State*
 23 *will address the needs of children in child*
 24 *care services provided through programs au-*
 25 *thorized under this subchapter, including*

1 *the need for safe child care, for the period*
 2 *before, during, and after a state of emer-*
 3 *gency declared by the Governor or a major*
 4 *disaster or emergency (as such terms are de-*
 5 *finied in section 102 of the Robert T. Staf-*
 6 *ford Disaster Relief and Emergency Assist-*
 7 *ance Act (42 U.S.C. 5122)).*

8 “(ii) *STATEWIDE CHILD CARE DIS-*
 9 *ASTER PLAN.*—*Such plan shall include a*
 10 *statewide child care disaster plan for co-*
 11 *ordination of activities and collaboration,*
 12 *in the event of an emergency or disaster de-*
 13 *scribed in clause (i), among the State agen-*
 14 *cy with jurisdiction over human services,*
 15 *the agency with jurisdiction over State*
 16 *emergency planning, the State lead agency,*
 17 *the State agency with jurisdiction over li-*
 18 *censing of child care providers, the local re-*
 19 *source and referral organizations, the State*
 20 *resource and referral system, and the State*
 21 *Advisory Council on Early Childhood Edu-*
 22 *cation and Care as provided for under sec-*
 23 *tion 642B(b) of the Head Start Act (42*
 24 *U.S.C. 9837b(b)).*

1 “(iii) *DISASTER PLAN COMPONENTS.*—

2 *The components of the disaster plan, for*
 3 *such an emergency or disaster, shall in-*
 4 *clude—*

5 “(I) *evacuation, relocation, shel-*
 6 *ter-in-place, and lock-down procedures,*
 7 *and procedures for communication and*
 8 *reunification with families, continuity*
 9 *of operations, and accommodation of*
 10 *infants and toddlers, children with dis-*
 11 *abilities, and children with chronic*
 12 *medical conditions;*

13 “(II) *guidelines for the continu-*
 14 *ation of child care services in the pe-*
 15 *riod following the emergency or dis-*
 16 *aster, which may include the provision*
 17 *of emergency and temporary child care*
 18 *services, and temporary operating*
 19 *standards for child care providers dur-*
 20 *ing that period; and*

21 “(III) *procedures for staff and*
 22 *volunteer emergency preparedness*
 23 *training and practice drills.*

24 “(V) *BUSINESS TECHNICAL ASSISTANCE.*—

25 *The plan shall describe how the State will de-*

1 *velop and implement strategies to strengthen the*
 2 *business practices of child care providers to ex-*
 3 *pand the supply, and improve the quality of,*
 4 *child care services.”;*

5 *(3) in paragraph (3)—*

6 *(A) in subparagraph (A), by striking “as*
 7 *required under” and inserting “in accordance*
 8 *with”;*

9 *(B) in subparagraph (B)—*

10 *(i) by striking “The State” and insert-*
 11 *ing the following:*

12 *“(i) IN GENERAL.—The State”;*

13 *(ii) by striking “and any other activ-*
 14 *ity that the State deems appropriate to re-*
 15 *alize any of the goals specified in para-*
 16 *graphs (2) through (5) of section 658A(b)”*
 17 *and inserting “activities that improve ac-*
 18 *cess to child care services, including the use*
 19 *of procedures to permit enrollment (after an*
 20 *initial eligibility determination) of homeless*
 21 *children while required documentation is*
 22 *obtained, training and technical assistance*
 23 *on identifying and serving homeless chil-*
 24 *dren and their families, and specific out-*
 25 *reach to homeless families, and any other*

1 *activity that the State determines to be ap-*
 2 *propriate to meet the purposes of this sub-*
 3 *chapter (which may include an activity de-*
 4 *scribed in clause (ii))”;* and

5 *(iii) by adding at the end the fol-*
 6 *lowing:*

7 “(i) *REPORT BY THE ASSISTANT SEC-*
 8 *RETARY FOR CHILDREN AND FAMILIES.—*

9 *“(I) IN GENERAL.—Not later than*
 10 *September 30 of the first full fiscal*
 11 *year after the date of enactment of the*
 12 *Child Care and Development Block*
 13 *Grant Act of 2014, and September 30*
 14 *of each fiscal year thereafter, the Sec-*
 15 *retary (acting through the Assistant*
 16 *Secretary for Children and Families of*
 17 *the Department of Health and Human*
 18 *Services) shall prepare a report that*
 19 *contains a determination about wheth-*
 20 *er each State uses amounts provided to*
 21 *such State for the fiscal year involved*
 22 *under this subchapter in accordance*
 23 *with the priority for services described*
 24 *in clause (i).*

1 “(II) *PENALTY FOR NONCOMPLI-*
2 *ANCE.—For any fiscal year that the re-*
3 *port of the Secretary described in sub-*
4 *clause (I) indicates that a State has*
5 *failed to give priority for services in*
6 *accordance with clause (i), the Sec-*
7 *retary shall—*

8 “(aa) *inform the State that*
9 *the State has until the date that is*
10 *6 months after the Secretary has*
11 *issued such report to fully comply*
12 *with clause (i);*

13 “(bb) *provide the State an*
14 *opportunity to modify the State*
15 *plan of such State, to make the*
16 *plan consistent with the require-*
17 *ments of clause (i), and resubmit*
18 *such State plan to the Secretary*
19 *not later than the date described*
20 *in item (aa); and*

21 “(cc) *if the State does not*
22 *fully comply with clause (i) and*
23 *item (bb), by the date described in*
24 *item (aa), withhold 5 percent of*
25 *the funds that would otherwise be*

1 *allocated to that State in accord-*
2 *ance with this subchapter for the*
3 *first full fiscal year after that*
4 *date.*

5 “(III) WAIVER FOR EXTRAOR-

6 DINARY CIRCUMSTANCES.—*Notwith-*

7 *standing subclause (II) the Secretary*

8 *may grant a waiver to a State for one*

9 *year to the penalty applied in sub-*

10 *clause (II) if the Secretary determines*

11 *there are extraordinary circumstances,*

12 *such as a natural disaster, that pre-*

13 *vent the State from complying with*

14 *clause (i). If the Secretary does grant*

15 *a waiver to a State under this section,*

16 *the Secretary shall, within 30 days of*

17 *granting such waiver, submit a report*

18 *to the appropriate congressional com-*

19 *mittees on the circumstances of the*

20 *waiver including the stated reason*

21 *from the State on the need for a waiv-*

22 *er, the expected impact of the waiver*

23 *on children served under this program,*

24 *and any such other relevant informa-*

25 *tion the Secretary deems necessary.*

1 “(iii) *CHILD CARE RESOURCE AND RE-*
 2 *FERRAL SYSTEM.*—

3 “(I) *IN GENERAL.*—*A State may*
 4 *use amounts described in clause (i) to*
 5 *establish or support a system of local*
 6 *or regional child care resource and re-*
 7 *ferral organizations that is coordi-*
 8 *nated, to the extent determined appro-*
 9 *priate by the State, by a statewide*
 10 *public or private nonprofit, commu-*
 11 *nity-based or regionally based, lead*
 12 *child care resource and referral organi-*
 13 *zation.*

14 “(II) *LOCAL OR REGIONAL ORGA-*
 15 *NIZATIONS.*—*The local or regional*
 16 *child care resource and referral organi-*
 17 *zations supported as described in sub-*
 18 *clause (I) shall—*

19 “(aa) *provide parents in the*
 20 *State with consumer education in-*
 21 *formation referred to in para-*
 22 *graph (2)(E) (except as otherwise*
 23 *provided in that paragraph), con-*
 24 *cerning the full range of child*
 25 *care options (including faith-*

1 *based and community-based child*
2 *care providers), analyzed by pro-*
3 *vider, including child care pro-*
4 *vided during nontraditional hours*
5 *and through emergency child care*
6 *centers, in their political subdivi-*
7 *sions or regions;*

8 *“(bb) to the extent prac-*
9 *ticable, work directly with fami-*
10 *lies who receive assistance under*
11 *this subchapter to offer the fami-*
12 *lies support and assistance, using*
13 *information described in item*
14 *(aa), to make an informed deci-*
15 *sion about which child care pro-*
16 *viders they will use, in an effort*
17 *to ensure that the families are en-*
18 *rolling their children in the most*
19 *appropriate child care setting to*
20 *suit their needs and one that is of*
21 *high quality (as determined by the*
22 *State);*

23 *“(cc) collect data and provide*
24 *information on the coordination*
25 *of services and supports, includ-*

1 *ing services under section 619 and*
2 *part C of the Individuals with*
3 *Disabilities Education Act (20*
4 *U.S.C. 1431, et seq.), for children*
5 *with disabilities (as defined in*
6 *section 602 of such Act (20 U.S.C.*
7 *1401));*

8 *“(dd) collect data and pro-*
9 *vide information on the supply of*
10 *and demand for child care serv-*
11 *ices in political subdivisions or*
12 *regions within the State and sub-*
13 *mit such information to the State;*

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

21 *“(ff) as appropriate, coordi-*
22 *nate their activities with the ac-*
23 *tivities of the State lead agency*
24 *and local agencies that administer*

1 *funds made available in accord-*
 2 *ance with this subchapter.”;*

3 *(C) in subparagraph (D)—*

4 *(i) by striking “1997 through 2002)”*
 5 *and inserting “2015 through 2020”; and*

6 *(ii) by striking “other than families*
 7 *described in paragraph (2)(H)” and insert-*
 8 *ing “including or in addition to families*
 9 *with children described in clause (i), (ii),*
 10 *(iii), or (iv) of paragraph (2)(M)”;* and

11 *(D) by adding at the end the following:*

12 *“(E) DIRECT SERVICES.—From amounts*
 13 *provided to a State for a fiscal year to carry out*
 14 *this subchapter, the State shall—*

15 *“(i) reserve the minimum amount re-*
 16 *quired to be reserved under section 658G,*
 17 *and the funds for costs described in sub-*
 18 *paragraph (C); and*

19 *“(ii) from the remainder, use not less*
 20 *than 70 percent to fund direct services (pro-*
 21 *vided by the State) in accordance with*
 22 *paragraph (2)(A).”;*

23 *(4) by striking paragraph (4) and inserting the*
 24 *following:*

25 *“(4) PAYMENT RATES.—*

1 “(A) *IN GENERAL.*—*The State plan shall*
 2 *certify that payment rates for the provision of*
 3 *child care services for which assistance is pro-*
 4 *vided in accordance with this subchapter are suf-*
 5 *ficient to ensure equal access for eligible children*
 6 *to child care services that are comparable to*
 7 *child care services in the State or substate area*
 8 *involved that are provided to children whose par-*
 9 *ents are not eligible to receive assistance under*
 10 *this subchapter or to receive child care assistance*
 11 *under any other Federal or State program, and*
 12 *shall provide a summary of the facts relied on by*
 13 *the State to determine that such rates are suffi-*
 14 *cient to ensure such access.*

15 “(B) *SURVEY.*—*The State plan shall—*

16 “(i) *demonstrate that the State has,*
 17 *after consulting with the State Advisory*
 18 *Council on Early Childhood Education and*
 19 *Care designated or established in section*
 20 *642B(b)(1)(A)(i) of the Head Start Act (42*
 21 *U.S.C. 9837b(b)(1)(A)(i)), local child care*
 22 *program administrators, local child care re-*
 23 *source and referral agencies, and other ap-*
 24 *propriate entities, developed and conducted*
 25 *(not earlier than 2 years before the date of*

the submission of the application containing the State plan) a statistically valid and reliable survey of the market rates for child care services in the State (that reflects variations in the cost of child care services by geographic area, type of provider, and age of child) or an alternative methodology, such as a cost estimation model, that has been developed by the State lead agency;

“(ii) demonstrate that the State prepared a detailed report containing the results of the State market rates survey or alternative methodology conducted pursuant to clause (i), and made the results of the survey or alternative methodology widely available (not later than 30 days after the completion of such survey or alternative methodology) through periodic means, including posting the results on the Internet;

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

“(I) in accordance with the results of the market rates survey or alter-

1 *native methodology conducted pursuant*
 2 *to clause (i);*

3 “(II) *taking into consideration the*
 4 *cost of providing higher quality child*
 5 *care services than were provided under*
 6 *this subchapter before the date of enact-*
 7 *ment of the Child Care and Develop-*
 8 *ment Block Grant Act of 2014; and*

9 “(III) *without, to the extent prac-*
 10 *ticable, reducing the number of fami-*
 11 *lies in the State receiving such assist-*
 12 *ance to carry out this subchapter, rel-*
 13 *ative to the number of such families on*
 14 *the date of enactment of that Act; and*

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

18 “(C) *CONSTRUCTION.—*

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

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

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

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

“(II) the age or particular needs of children (such as the needs of children with disabilities and children served by child protective services);

“(III) whether the providers provide child care services during weekend and other nontraditional hours; or

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

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

(c) *TECHNICAL AMENDMENT.*—Section 658F(b)(2) of the Child Care and Development Block Grant Act of 1990

1 (42 U.S.C. 9858d(b)(2)) is amended by striking “section
2 658E(c)(2)(F)” and inserting “section 658E(c)(2)(I)”.

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

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

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

10 **“(a) RESERVATION.—**

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

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

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

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

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

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

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

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

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

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

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

24 “(B) *incorporating the effective use of data*
 25 *to guide program improvement;*

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

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

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

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

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

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

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

12 “(A) *support and assess the quality of child*
 13 *care providers in the State;*

14 “(B) *build on State licensing standards and*
 15 *other State regulatory standards for such pro-*
 16 *viders;*

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

20 “(D) *describe the safety of child care facili-*
 21 *ties;*

22 “(E) *build the capacity of State early child-*
 23 *hood programs and communities to promote par-*
 24 *ents’ and families’ understanding of the State’s*

1 *early childhood system and the ratings of the*
 2 *programs in which the child is enrolled;*

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

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

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

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

1 *appropriate care to infants and toddlers from*
2 *low-income families;*

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

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

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

1 “(E) improving the ability of parents to ac-
 2 cess transparent and easy to understand con-
 3 sumer information about high-quality infant
 4 and toddler care; and

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

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

18 “(6) Facilitating compliance with State require-
 19 ments for inspection, monitoring, training, and
 20 health and safety, and with State licensing standards.

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

1 “(8) *Supporting child care providers in the vol-*
 2 *untary pursuit of accreditation by a national accred-*
 3 *iting body with demonstrated, valid, and reliable pro-*
 4 *gram standards of high quality.*

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

9 “(10) *Carrying out other activities determined*
 10 *by the State to improve the quality of child care serv-*
 11 *ices provided in the State, and for which measure-*
 12 *ment of outcomes relating to improved provider pre-*
 13 *paredness, child safety, child well-being, or entry to*
 14 *kindergarten is possible.*

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

23 “(d) *REPORTING REQUIREMENTS.—Each State receiv-*
 24 *ing funds under this subchapter shall prepare and submit*

1 *an annual report to the Secretary, which shall include in-*
 2 *formation about—*

3 “(1) *the amount of funds that are reserved under*
 4 *subsection (a);*

5 “(2) *the activities carried out under this section;*
 6 *and*

7 “(3) *the measures that the State will use to*
 8 *evaluate the State’s progress in improving the quality*
 9 *of child care programs and services in the State.*

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

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

22 **SEC. 7. CRIMINAL BACKGROUND CHECKS.**

23 *The Child Care and Development Block Grant Act of*
 24 *1990 (42 U.S.C. 9858 et seq.) is amended by inserting after*
 25 *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 re-
5 quire 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 sub-
12 section (c).

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

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 where
19 such staff member resided during the preceding 5
20 years;

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

1 “(3) a search of the National Crime Information
2 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 Reg-
7 istry established under the Adam Walsh Child Protec-
8 tion and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

9 “(c) PROHIBITIONS.—

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

14 “(A) refuses to consent to the criminal back-
15 ground check described in subsection (b);

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

19 “(C) is registered, or is required to be reg-
20 istered, on a State sex offender registry or reposi-
21 tory or the National Sex Offender Registry estab-
22 lished under the Adam Walsh Child Protection
23 and Safety Act of 2006 (42 U.S.C. 16901 et
24 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 child,
19 including the following crimes: child abuse, child
20 endangerment, sexual assault, or of a mis-
21 demeanor involving child pornography.

22 “(2) CHILD CARE PROVIDERS.—A child care pro-
23 vider described in subsection (i)(1) shall be ineligible
24 for assistance provided in accordance with this sub-

1 chapter if the provider employs a staff member who
 2 is ineligible for employment under paragraph (1).

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

5 “(1) *IN GENERAL.*—A child care provider covered
 6 by subsection (c) shall submit a request, to the appro-
 7 priate State agency designated by a State, for a
 8 criminal background check described in subsection (b),
 9 for each child care staff member (including prospec-
 10 tive 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 the
 14 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 5-
 19 year period following the first submission date
 20 under this paragraph for that staff member.

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

1 “(A) prior to the date the individual be-
 2 comes a child care staff member of the provider;
 3 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 CHILD*
 8 *CARE PROVIDER.*—A child care provider shall not be
 9 required to submit a request under paragraph (2) or
 10 (3) for a child care staff member if—

11 “(A) the staff member received a background
 12 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 provider
 20 a qualifying background check result, consistent
 21 with this subchapter, for the staff member; and

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

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

3 “(e) *BACKGROUND CHECK RESULTS AND APPEALS.*—

4 “(1) *BACKGROUND CHECK RESULTS.*—*The State*
 5 *shall carry out the request of a child care provider for*
 6 *a criminal background check as expeditiously as pos-*
 7 *sible, but not to exceed 45 days after the date on*
 8 *which such request was submitted, and shall provide*
 9 *the results of the criminal background check to such*
 10 *provider and to the current or prospective staff mem-*
 11 *ber.*

12 “(2) *PRIVACY.*—

13 “(A) *IN GENERAL.*—*The State shall provide*
 14 *the results of the criminal background check to*
 15 *the provider in a statement that indicates wheth-*
 16 *er a child care staff member (including a pro-*
 17 *spective child care staff member) is eligible or in-*
 18 *eligible for employment described in subsection*
 19 *(c), without revealing any disqualifying crime or*
 20 *other related information regarding the indi-*
 21 *vidual.*

22 “(B) *INELIGIBLE STAFF MEMBER.*—*If the*
 23 *child care staff member is ineligible for such em-*
 24 *ployment due to the background check, the State*
 25 *will, when providing the results of the back-*

1 *ground check, include information related to*
2 *each disqualifying crime, in a report to the staff*
3 *member or prospective staff member.*

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

11 “(3) *APPEALS.*—

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

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

22 “(i) *each child care staff member shall*
23 *be given notice of the opportunity to appeal;*

24 “(ii) *a child care staff member will re-*
25 *ceive instructions about how to complete the*

1 *appeals process if the child care staff mem-*
2 *ber wishes to challenge the accuracy or com-*
3 *pleteness of the information contained in*
4 *such member's criminal background report;*
5 *and*

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

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

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

22 *“(f) FEES FOR BACKGROUND CHECKS.—Fees that a*
23 *State may charge for the costs of processing applications*
24 *and administering a criminal background check as required*

1 *by this section shall not exceed the actual costs to the State*
 2 *for the processing and administration.*

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

8 “(h) *CONSTRUCTION.—*

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

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

23 “(i) *DEFINITIONS.—In this section—*

24 “(1) *the term ‘child care provider’ means a cen-*
 25 *ter-based child care provider, a family child care pro-*

1 *vider, or another provider of child care services for*
 2 *compensation and on a regular basis that—*

3 *“(A) is not an individual who is related to*
 4 *all children for whom child care services are pro-*
 5 *vided; and*

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

9 *“(2) the term ‘child care staff member’ means an*
 10 *individual (other than an individual who is related*
 11 *to all children for whom child care services are pro-*
 12 *vided)—*

13 *“(A) who is employed by a child care pro-*
 14 *vider for compensation; or*

15 *“(B) whose activities involve the care or su-*
 16 *pervision of children for a child care provider or*
 17 *unsupervised access to children who are cared for*
 18 *or supervised by a child care provider.*

19 *“(j) EFFECTIVE DATE.—*

20 *“(1) IN GENERAL.—A State that receives funds*
 21 *under this subchapter shall meet the requirements of*
 22 *this section for the provision of criminal background*
 23 *checks for child care staff members described in sub-*
 24 *section (d)(1) not later than the last day of the second*
 25 *full fiscal year after the date of enactment of the*

1 *Child Care and Development Block Grant Act of*
 2 *2014.*

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

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

15 **SEC. 8. REPORTS AND INFORMATION.**

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

19 (1) *in paragraph (2)—*

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

21 *and*

22 (B) *by striking “and” at the end;*

23 (2) *by striking paragraph (3) and inserting the*
 24 *following:*

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

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

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

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

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

24 “(c) *REQUEST FOR RELIEF*.—

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

7 “(A) *the request describes one or more con-*
8 *flicting or duplicative requirements preventing*
9 *the effective delivery of child care services to jus-*
10 *tify a waiver, extraordinary circumstances, such*
11 *as natural disaster or financial crisis, or an ex-*
12 *tended period of time for a State legislature to*
13 *enact legislation to implement the provisions of*
14 *this subchapter;*

15 “(B) *such circumstances included in the re-*
16 *quest prevent the State from complying with any*
17 *statutory or regulatory requirements of this sub-*
18 *chapter;*

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

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

24 “(2) *CONTENTS.*—*Such request shall be provided*
25 *to the Secretary in writing and will—*

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

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

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

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

1 *Health, Education, Labor, and Pensions of the Senate*
2 *on the circumstances of the waiver including each*
3 *specific sanction or provision waived, the reason as*
4 *given by the State of the need for a waiver, and the*
5 *expected impact of the waiver on children served*
6 *under this program.*

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

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

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

22 “(7) *RENEWAL.—The Secretary may approve or*
23 *disapprove a request from a State for renewal of an*
24 *existing waiver under this subchapter for a period no*
25 *longer than one year. A State seeking to renew their*

1 *waiver approval must inform the Secretary of this in-*
 2 *tent no later than 30 days prior to the expiration*
 3 *date of the waiver. The State shall re-certify in its ex-*
 4 *tension request the provisions in paragraph (2) of this*
 5 *subchapter, and shall also explain the need for addi-*
 6 *tional time of relief from such sanction(s) or provi-*
 7 *sions approved under this law as provided in this*
 8 *subchapter.*

9 *“(8) RESTRICTIONS.—Nothing in this subchapter*
 10 *shall be construed as providing the Secretary the au-*
 11 *thority to permit States to alter the eligibility re-*
 12 *quirements for eligible children, including work re-*
 13 *quirements, job training, or educational program par-*
 14 *ticipation, that apply to the parents of eligible chil-*
 15 *dren under this subchapter. Nothing in this subsection*
 16 *shall be construed to allow the Secretary to waive*
 17 *anything related to his or her authority under this*
 18 *subchapter.”.*

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

22 *(1) in paragraph (1)(B)—*

23 *(A) in clause (ix), by striking “and” at the*
 24 *end;*

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

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

4 “(xi) whether the children receiving as-
5 sistance under this subchapter are homeless
6 children;”; and

7 (2) in paragraph (2)—

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

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

16 (C) in subparagraph (E) by striking the pe-
17 riod at the end and inserting “; and”; and

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

19 “(F) the number of child fatalities occurring
20 among children while in the care and facility of
21 child care providers receiving assistance under
22 this subchapter, listed by type of child care pro-
23 vider and indicating whether the providers (ex-
24 cluding child care providers described in section
25 658P(6)(B)) are licensed or license-exempt.”.

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

4 (1) by striking the section heading and inserting
 5 the following:

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

7 (2) by striking “Not later” and inserting the fol-
 8 lowing:

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

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

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

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

18 “Such report shall contain a determination around whether
 19 each State that uses amounts provided under this sub-
 20 chapter has complied with the priority for services described
 21 in sections 658E(c)(2)(Q) and 658E(c)(3)(B).”; and

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

23 “(b) *NATIONAL TOLL-FREE HOTLINE AND WEB*
 24 *SITE.*—

1 “(1) *IN GENERAL.*—*The Secretary shall operate,*
 2 *directly or through the use of grants or contracts, a*
 3 *national toll-free hotline and Web site, to—*

4 “(A) *develop and disseminate publicly*
 5 *available child care consumer education informa-*
 6 *tion for parents and help parents access safe and*
 7 *quality child care services in their community,*
 8 *with a range of price options, that best suits*
 9 *their family’s needs; and*

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

16 “(2) *REQUIREMENTS.*—*The Secretary shall en-*
 17 *sure that the hotline and Web site meet the following*
 18 *requirements:*

19 “(A) *REFERRAL TO LOCAL CHILD CARE*
 20 *PROVIDERS.*—*The Web site shall be hosted by*
 21 *‘childcare.gov’. The Web site shall enable a child*
 22 *care consumer to enter a zip code and obtain a*
 23 *referral to local child care providers described in*
 24 *subparagraph (B) within a specified search ra-*
 25 *dus.*

1 “(B) *INFORMATION.*—*The Web site shall*
2 *provide to consumers, directly or through link-*
3 *ages to State databases, at a minimum—*

4 “(i) *a localized list of all eligible child*
5 *care providers, differentiating between li-*
6 *censed and license-exempt providers;*

7 “(ii) *any provider-specific information*
8 *from a Quality Rating and Improvement*
9 *System or information about other quality*
10 *indicators, to the extent the information is*
11 *publicly available and to the extent prac-*
12 *ticable;*

13 “(iii) *any other provider-specific infor-*
14 *mation about compliance with licensing,*
15 *and health and safety requirements to the*
16 *extent the information is publicly available*
17 *and to the extent practicable;*

18 “(iv) *referrals to local resource and re-*
19 *ferral organizations from which consumers*
20 *can find more information about child care*
21 *providers; and*

22 “(v) *State information about child care*
23 *subsidy programs and other financial sup-*
24 *ports available to families.*

1 “(C) *NATIONWIDE CAPACITY.*—*The Web site*
 2 *and hotline shall have the capacity to help fami-*
 3 *lies in every State and community in the Na-*
 4 *tion.*

5 “(D) *INFORMATION AT ALL HOURS.*—*The*
 6 *Web site shall provide, to parents and families,*
 7 *access to information about child care services 24*
 8 *hours a day.*

9 “(E) *SERVICES IN DIFFERENT LAN-*
 10 *GUAGES.*—*The Web site and hotline shall ensure*
 11 *the widest possible access to services for families*
 12 *who speak languages other than English.*

13 “(F) *HIGH-QUALITY CONSUMER EDUCATION*
 14 *AND REFERRAL.*—*The Web site and hotline shall*
 15 *ensure that families have access to easy-to-under-*
 16 *stand child care consumer education and referral*
 17 *services.*

18 “(3) *PROHIBITION.*—*Nothing in this subsection*
 19 *shall be construed to allow the Secretary to compel*
 20 *States to provide additional data and information*
 21 *that is currently (as of the date of enactment of the*
 22 *Child Care and Development Block Grant Act of*
 23 *2014) not publicly available, or is not required by*
 24 *this subchapter, unless such additional data are re-*
 25 *lated to the purposes and scope of this subchapter,*

1 and are subject to a notice and comment period of no
2 less than 90 days.”.

3 (e) PROTECTION OF INFORMATION.—Section
4 658K(a)(1) of the Child Care and Development Block Grant
5 Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended by adding
6 at the end the following:

7 “(E) PROHIBITION.—Reports submitted to
8 the Secretary under subparagraph (C) shall not
9 contain personally identifiable information.”.

10 **SEC. 9. RESERVATION FOR TOLL-FREE HOTLINE AND WEB**
11 **SITE; PAYMENTS TO BENEFIT INDIAN CHIL-**
12 **DREN; TECHNICAL ASSISTANCE AND EVALUA-**
13 **TION.**

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

16 (1) in subsection (a)—

17 (A) in paragraph (2)—

18 (i) by striking “The Secretary” and
19 inserting the following:

20 “(A) IN GENERAL.—The Secretary”;

21 (ii) by striking “1 percent, and not
22 more than 2 percent,” and inserting “2 per-
23 cent”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(B) *LIMITATIONS.*—*Notwithstanding sub-*
 2 *paragraph (A), the Secretary shall only reserve*
 3 *an amount that is greater than 2 percent of the*
 4 *amount appropriated under section 658B, for*
 5 *payments described in subparagraph (A), for a*
 6 *fiscal year (referred to in this subparagraph as*
 7 *the ‘reservation year’) if —*

8 “(i) *the amount appropriated under*
 9 *section 658B for the reservation year is*
 10 *greater than the amount appropriated*
 11 *under section 658B for fiscal year 2014;*
 12 *and*

13 “(ii) *the Secretary ensures that the*
 14 *amount allotted to States under subsection*
 15 *(b) for the reservation year is not less than*
 16 *the amount allotted to States under sub-*
 17 *section (b) for fiscal year 2014.’; and*

18 *(B) by adding at the end the following:*

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

24 “(4) *TECHNICAL ASSISTANCE.*—*The Secretary*
 25 *shall reserve up to 1/2 of 1 percent of the amount ap-*

1 *appropriated under this subchapter for each fiscal year*
 2 *to support technical assistance and dissemination ac-*
 3 *tivities under paragraphs (3) and (4) of section*
 4 *658I(a).*

5 *“(5) RESEARCH, DEMONSTRATION, AND EVALUA-*
 6 *TION.—The Secretary may reserve $\frac{1}{2}$ of 1 percent of*
 7 *the amount appropriated under this subchapter for*
 8 *each fiscal year to conduct research and demonstra-*
 9 *tion activities, as well as periodic external, inde-*
 10 *pendent evaluations of the impact of the program de-*
 11 *scribed by this subchapter on increasing access to*
 12 *child care services and improving the safety and qual-*
 13 *ity of child care services, using scientifically valid re-*
 14 *search methodologies, and to disseminate the key find-*
 15 *ings of those evaluations widely and on a timely*
 16 *basis.”; and*

17 *(2) in subsection (c)—*

18 *(A) in paragraph (2), by adding at the end*
 19 *the following:*

20 *“(D) LICENSING AND STANDARDS.—In lieu*
 21 *of any licensing and regulatory requirements ap-*
 22 *plicable under State or local law, the Secretary,*
 23 *in consultation with Indian tribes and tribal or-*
 24 *ganizations, shall develop minimum child care*
 25 *standards that shall be applicable to Indian*

1 *tribes and tribal organizations receiving assist-*
 2 *ance under this subchapter. Such standards shall*
 3 *appropriately reflect Indian tribe and tribal or-*
 4 *ganization needs and available resources, and*
 5 *shall include standards requiring a publicly*
 6 *available application, health and safety stand-*
 7 *ards, and standards requiring a reservation of*
 8 *funds for activities to improve the quality of*
 9 *child care services provided to Indian children.”;*
 10 *and*

11 *(B) in paragraph (6), by striking subpara-*
 12 *graph (C) and inserting the following:*

13 *“(C) LIMITATION.—*

14 *“(i) IN GENERAL.—Except as provided*
 15 *in clause (ii), the Secretary may not permit*
 16 *an Indian tribe or tribal organization to*
 17 *use amounts provided under this subsection*
 18 *for construction or renovation if the use will*
 19 *result in a decrease in the level of child care*
 20 *services provided by the Indian tribe or*
 21 *tribal organization as compared to the level*
 22 *of child care services provided by the Indian*
 23 *tribe or tribal organization in the fiscal*
 24 *year preceding the year for which the deter-*

1 mination under subparagraph (B) is being
2 made.

3 “(ii) *WAIVER.*—*The Secretary shall*
4 *waive the limitation described in clause (i)*
5 *if—*

6 “(I) *the Secretary determines that*
7 *the decrease in the level of child care*
8 *services provided by the Indian tribe or*
9 *tribal organization is temporary; and*

10 “(II) *the Indian tribe or tribal or-*
11 *ganization submits to the Secretary a*
12 *plan that demonstrates that after the*
13 *date on which the construction or ren-*
14 *ovation is completed—*

15 “(aa) *the level of child care*
16 *services will increase; or*

17 “(bb) *the quality of child*
18 *care services will improve.”.*

19 **SEC. 10. DEFINITIONS.**

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

22 *(1) by striking paragraph (4) and inserting the*
23 *following:*

24 “(3) *CHILD WITH A DISABILITY.*—*The term*
25 *‘child with a disability’ means—*

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

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

8 “(C) a child who is less than 13 years of
9 age and who is eligible for services under section
10 504 of the Rehabilitation Act of 1973 (29 U.S.C.
11 794); and

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

14 “(4) *ELIGIBLE CHILD*.—The term ‘eligible child’
15 means an individual—

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

17 “(B) whose family income does not exceed
18 85 percent of the State median income for a
19 family of the same size, and whose family assets
20 do not exceed \$1,000,000 (as certified by a mem-
21 ber of such family); and

22 “(C) who—

23 “(i) resides with a parent or parents
24 who are working or attending a job train-
25 ing or educational program; or

1 “(ii) *is receiving, or needs to receive,*
 2 *protective services and resides with a parent*
 3 *or parents not described in clause (i).”;*

4 (2) *by redesignating paragraphs (5) through (9)*
 5 *as paragraphs (6) through (10), respectively;*

6 (3) *by inserting after paragraph (4), the fol-*
 7 *lowing:*

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

14 (4) *in paragraph (6)(A), as redesignated by*
 15 *paragraph (2)—*

16 (A) *in clause (i), by striking “section*
 17 *658E(c)(2)(E)” and inserting “section*
 18 *658E(c)(2)(F)”;* *and*

19 (B) *in clause (ii), by striking “section*
 20 *658E(c)(2)(F)” and inserting “section*
 21 *658E(c)(2)(I)”;*

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

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

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

7 (8) by inserting after paragraph (10), as redesign-
 8 ated by paragraph (2), the following:

9 “(11) *SCIENTIFICALLY VALID RESEARCH.*—The
 10 term ‘scientifically valid research’ includes applied
 11 research, basic research, and field-initiated research,
 12 for which the rationale, design, and interpretation are
 13 soundly developed in accordance with principles of
 14 scientific research.”.

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

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

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

19 “(a) *IN GENERAL.*—”; and

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

21 “(b) *PARENTAL RIGHTS TO USE CHILD CARE CER-*
 22 *TIFICATES.*—Nothing in this subchapter shall be construed
 23 in a manner—

24 “(1) to favor or promote the use of grants and
 25 contracts for the receipt of child care services under

1 *this subchapter over the use of child care certificates;*
 2 *or*

3 *“(2) to disfavor or discourage the use of such cer-*
 4 *tificates for the purchase of child care services, includ-*
 5 *ing those services provided by private or nonprofit en-*
 6 *tities, such as faith-based providers.”.*

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

8 *(a) STUDY.—The Comptroller General of the United*
 9 *States shall conduct studies to determine, for each State,*
 10 *the number of families that—*

11 *(1) are eligible to receive assistance under the*
 12 *Child Care and Development Block Grant Act of 1990*
 13 *(42 U.S.C. 9858 et seq.);*

14 *(2) have applied for the assistance, identified by*
 15 *the type of assistance requested; and*

16 *(3) have been placed on a waiting list for the as-*
 17 *sistance.*

18 *(b) REPORT.—The Comptroller General shall prepare*
 19 *a report containing the results of each study and shall sub-*
 20 *mit the report to the Committee on Health, Education,*
 21 *Labor and Pensions of the Senate, and the Committee on*
 22 *Education and the Workforce of the House of Representa-*
 23 *tives—*

24 *(1) not later than 2 years after the date of enact-*
 25 *ment of this Act; and*

1 (2) *every 2 years thereafter.*

2 (c) *DEFINITION.—In this section, the term “State” has*
 3 *the meaning given the term in section 658P of the Child*
 4 *Care and Development Block Grant Act of 1990 (42 U.S.C.*
 5 *9858n).*

6 **SEC. 13. REVIEW OF FEDERAL EARLY LEARNING AND CARE**
 7 **PROGRAMS.**

8 (a) *IN GENERAL.—The Secretary of Health and*
 9 *Human Services, in conjunction with the Secretary of Edu-*
 10 *cation, shall conduct an interdepartmental review of all*
 11 *early learning and care programs for children less than 6*
 12 *years of age in order to—*

13 (1) *develop a plan for the elimination of overlap-*
 14 *ping programs, as identified by the Government Ac-*
 15 *countability Office’s 2012 annual report (GAO–12–*
 16 *342SP); and*

17 (2) *make recommendations to Congress for*
 18 *streamlining all such programs.*

19 (b) *REPORT.—Not later than 1 year after the date of*
 20 *enactment of this Act, the Secretary of Health and Human*
 21 *Services, in consultation with the Secretary of Education*
 22 *and the heads of all Federal agencies that administer Fed-*
 23 *eral early learning and care programs, shall submit to the*
 24 *Committee on Health, Education, Labor, and Pensions of*
 25 *the Senate and the Committee on Education and the Work-*

1 *force of the House of Representatives, a detailed report that*
2 *outlines the efficiencies that can be achieved by, as well as*
3 *specific recommendations for, eliminating overlap and frag-*
4 *mentation among all Federal early learning and care pro-*
5 *grams.*

Attest:

Clerk.

113TH CONGRESS
2^D SESSION

S. 1086

AMENDMENT