116TH CONGRESS
1ST SESSION

S. 1403

To amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2019

Ms. DUCKWORTH (for herself, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

A BILL

To amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965.

1   *Be it enacted by the Senate and House of Representa-*

2   *tives of the United States of America in Congress assembled,*

3   **SECTION 1. SHORT TITLE.**

4   This Act may be cited as the "Expanding On-Campus

5   Child Care to Help Student Parents Succeed Act".

6   **SEC. 2. CHILD CARE ACCESS MEANS PARENTS IN SCHOOL.**

7   Section 419N of the Higher Education Act of 1965

8   (20 U.S.C. 1070e) is amended—

1   (1) by striking subsection (a) and inserting the

2   following:

3   "(a) PURPOSE.—The purpose of this section is to fa-

4   cilitate the success of low-income parents in postsecondary

5   education through the provision of subsidized child care

6   services, including campus-based child care services.";

7   (2) in subsection (b)—

8   (A) in paragraph (2), by striking subpara-

9   graphs (A) and (B) and inserting the following:

10   "(A) MINIMUM GRANT AMOUNT.—A grant

11   under this section shall be awarded in an

12   amount that is not less than $50,000.

13   "(B) CCAMPIS INCREASE.—

14   "(i) IN GENERAL.—For any fiscal

15   year for which the amount appropriated

16   under subsection (h) is not less than

17             $140,000,000, the Secretary may increase

18   the amount of a grant awarded under this

19   section to an eligible institution of higher

20   education if the institution submits an ap-

21   plication that—

22   "(I) demonstrates the success of

23   the eligible institution of higher edu-

24   cation in serving a significant number

25   of low-income student parents, which

1   may include graduation, transfer, or

2   retention rates for full-time and part-

3   time students receiving subsidies for

4   child care under this section;

5   "(II) demonstrates the need for

6   additional funds; and

7   "(III) provides information re-

8   garding the planned use of additional

9   funds to—

10   "(aa) improve the quality of

11   a campus-based child care facil-

12   ity;

13   "(bb) provide child care sub-

14   sidies to additional student par-

15   ents; or

16   "(cc) provide support serv-

17   ices to student parents.

18   "(ii) MAXIMUM AMOUNT.—The in-

19   crease paid to an eligible institution of

20   higher education under clause (i) for a fis-

21   cal year shall not exceed an amount equal

22   to 20 percent of the amount of the annual

23   grant payment received by the institution

24   under paragraph (3)(B) for the fiscal year

1 preceding the fiscal year for which the in-
2 crease is paid.

3   "(iii) ELIGIBLE INSTITUTION OF
4 HIGHER EDUCATION.—In this subpara-
5 graph, the term 'eligible institution of
6 higher education' means an institution of
7 higher education that has received a grant
8 under this section for not less than the pe-
9 riod of 3 consecutive fiscal years preceding
10 the fiscal year in which the increase is paid
11 under clause (i).";

12   (B) in paragraph (3)—

13   (i) in subparagraph (A), by striking
14   "4 years" and inserting "5 years"; and

15   (ii) in subparagraph (B), by striking
16   "subsection (e)(2)" and inserting "sub-
17   section (e)(3)";

18   (C) in paragraph (4), by striking "exceeds
19 $350,000" and all that follows through the pe-
20 riod at the end and inserting "exceeds
21 $300,000, except for institutions that are eligi-
22 ble for assistance under title III or V."; and

23   (D) by striking paragraph (5) and insert-
24 ing the following:

1 "(5) USE OF FUNDS.—Grants funds under this
2 section shall be used by an institution of higher edu-
3 cation to support accessible high-quality child care
4 services for low-income parents enrolled in postsec-
5 ondary education. Grant funds under this section
6 may be used—

7   "(A) to support or establish a campus-
8   based child care program primarily serving the
9   needs of low-income students enrolled at the in-
10   stitution of higher education;

11   "(B) to provide child care subsidies or a
12   sliding fee scale for low-income student parents;

13   "(C) to provide affordable and accessible
14   before and after school services for children of
15   low-income student parents;

16   "(D) to provide support services for low-in-
17   come student parents; or

18   "(E) to enhance the quality of campus-
19   based child care services, including improve-
20   ments to—

21   "(i) move to the next tier or level of
22   the State tiered and transparent system
23   for measuring the quality of child care pro-
24   viders;

1   "(ii) implement the training and pro-

2   fessional development required for child

3   care providers through the Child Care and

4   Development Block Grant Act of 2014

5   (Public Law 113–186); or

6   "(iii) implement quality improvements

7   toward achieving accreditation from a na-

8   tionally recognized accrediting body.";

9   (3) by striking subsection (c) and inserting the

10 following:

11 "(c) APPLICATIONS.—

12   "(1) IN GENERAL.—An institution of higher

13 education desiring a grant under this section shall

14 submit an application to the Secretary at such time,

15 in such manner, and accompanied by such informa-

16 tion as the Secretary may require. Such application

17 shall—

18   "(A) demonstrate that the institution is an

19 eligible institution described in subsection

20 (b)(4);

21   "(B) specify the amount of funds re-

22 quested;

23   "(C) demonstrate the need of low-income

24 students at the institution for accessible and af-

fordable child care services by including in the application—

"(i) information regarding student demographics;

"(ii) an assessment of child care capacity on or near campus;

"(iii) information regarding the existence of waiting lists for child care services on or near campus;

"(iv) information regarding additional needs created by concentrations of poverty or by geographic isolation; and

"(v) other relevant data;

"(D) contain a description of the activities to be assisted, including whether the grant funds will support an existing child care program or a new child care program;

"(E) identify the resources, including technical expertise and financial support, the institution will draw upon to support the child care program and the participation of low-income students in the program (such as accessing social services funding, using student activity fees to help pay the costs of child care, using resources obtained by meeting the needs of par-

1 ents who are not low-income students, and ac-

2 cessing foundation, corporate, or other institu-

3 tional support) and demonstrate that the use of

4 the resources will not result in increases in stu-

5 dent tuition;

6 "(F) contain an assurance that the institu-

7 tion will meet the child care needs of low-in-

8 come students through the provision of services,

9 or through a contract for the provision of serv-

10 ices;

11 "(G) describe the extent to which the child

12 care program will coordinate with the institu-

13 tion's early childhood education curriculum, to

14 the extent the curriculum is available, to meet

15 the needs of the students in the early childhood

16 education program at the institution, and the

17 needs of the parents and children participating

18 in the child care program assisted under this

19 section;

20 "(H) in the case of an institution seeking

21 assistance for a new child care program—

22 "(i) provide a timeline, covering the

23 period from receipt of the grant through

24 the provision of the child care services, de-

25 lineating the specific steps the institution

1 will take to achieve the goal of providing

2 low-income students with child care serv-

3 ices;

4   "(ii) specify any measures the institu-

5 tion will take to assist low-income students

6 with child care during the period before

7 the institution provides child care services;

8   "(iii) include a plan for identifying re-

9 sources needed for the child care services,

10 including space in which to provide child

11 care services, and technical assistance if

12 necessary; and

13   "(iv) include plans to assure quality of

14 campus-based child care facilities;

15 "(I) in the case of an institution seeking

16 assistance for a campus-based child care pro-

17 gram in existence on the date of the applica-

18 tion—

19   "(i) provide information regarding the

20 number of low-income students served

21 through campus-based child care on such

22 date;

23   "(ii) provide information on the age

24 groups of children to be served;

1   "(iii) specify any measures the institu-

2 tion will take to assist students eligible

3 under this section who are waitlisted for

4 the campus-based child care program;

5   "(iv) provide information regarding

6 the application of subsidies or a sliding fee

7 scale for child care services;

8   "(v) specify what staff positions will

9 be supported by funding under this sec-

10 tion, and how those staff positions support

11 the purpose under subsection (a);

12   "(vi) provide information on the total

13 number of children served by the campus-

14 based child care program, and number of

15 children of students served; and

16   "(vii) specify if funding will be used to

17 enhance program quality as described in

18 subsection (b)(5)(E);

19   "(J) in the case of an institution seeking

20 assistance that will contract for the provision of

21 child care services—

22   "(i) provide information on the age

23 groups of children to be served;

1   "(ii) provide information regarding

2   the application of subsidies or a sliding fee

3   scale for child care services; and

4   "(iii) provide information regarding

5   parameters the institution will use in se-

6   lecting child care providers in contracting

7   for the provision of services, including—

8   "(I) assessment of program qual-

9   ity; and

10   "(II) geographic location;

11   "(K) contain an assurance that any child

12   care facility assisted under this section will

13   meet the applicable State and local government

14   licensing, certification, approval, or registration

15   requirements;

16   "(L) describe how information regarding

17   the availability of subsidized child care will be

18   provided to students;

19   "(M) contain an assurance that the insti-

20   tution, when applicable, will make information

21   available to students receiving child care serv-

22   ices provided under this section about the eligi-

23   bility of such students for assistance under the

24   supplemental nutrition assistance program

25   under the Food and Nutrition Act of 2008 (7

1 U.S.C. 2011 et seq.) and the program of block

2 grants for States for temporary assistance for

3 needy families established under part A of title

4 IV of the Social Security Act (42 U.S.C. 601 et

5 seq.);

6 "(N) contain an abstract summarizing the

7 contents of such application and how the insti-

8 tution intends to achieve the purpose under

9 subsection (a); and

10 "(O) contain a plan for any child care fa-

11 cility assisted under this section to become ac-

12 credited within 3 years of the date the institu-

13 tion first receives assistance under this section.

14 "(2) TECHNICAL ASSISTANCE.—The Secretary

15 may provide technical assistance to eligible institu-

16 tions to help such institutions qualify for, apply for,

17 and maintain a grant under this section.";

18 (4) by striking subsection (d) and inserting the

19 following:

20 "(d) PRIORITY.—

21 "(1) IN GENERAL.—The Secretary shall give

22 priority in awarding grants under this section—

23 "(A) first to institutions of higher edu-

24 cation that submit applications describing pro-

25 grams that leverage significant local or institu-

1 tional resources, including in-kind contribu-

2 tions, to support the activities assisted under

3 this section; and

4 "(B) to institutions of higher education

5 that submit applications describing programs

6 that utilize a sliding fee scale for child care

7 services provided under this section in order to

8 support a high number of low-income parents

9 pursuing postsecondary education at the insti-

10 tution, after the institution gives priority to in-

11 stitutions described in subparagraph (A).

12 "(2) PROHIBITION.—The Secretary may not

13 give priority in awarding grants under this section

14 to institutions of higher education that propose

15 projects that are designed to increase access to edu-

16 cational choice.";

17 (5) in subsection (e)—

18 (A) in paragraph (1)(B), by striking the

19 semicolon at the end of clause (i) and inserting

20 the following: "which shall include—

21 "(I) the number of full- and part-

22 time students, respectively, receiving

23 child care services under this section;

14

1   "(II) whether the institution re-

2   stricts eligibility for child care services

3   to only full-time students; and

4   "(III) the number of students re-

5   ceiving child care services under this

6   section who—

7   "(aa) remain enrolled at the

8   institution during the academic

9   year for which they received such

10   services;

11   "(bb) graduate from the in-

12   stitution during the academic

13   year for which they received such

14   services;

15   "(cc) transfer to a different

16   institution during the academic

17   year for which they received such

18   services; or

19   "(dd) withdrew from the in-

20   stitution during the academic

21   year for which they received such

22   services;";

23   (B) by redesignating paragraph (2) as

24   paragraph (3);

1   (C) by inserting after paragraph (1) the

2   following:

3   "(2) REPORT.—

4   "(A) REPORT REQUIRED.—On an annual

5   basis, the Secretary shall submit to the author-

6   izing committees a report that includes—

7   "(i) a summary of the information de-

8   scribed in paragraph (1); and

9   "(ii) each abstract submitted under

10   subsection (c)(1)(N) by an institution of

11   higher education that receives a grant

12   under this section.

13   "(B) PUBLIC AVAILABILITY.—The Sec-

14   retary shall make each report submitted under

15   subparagraph (A) publicly available.

16   "(C) STAKEHOLDER CONSULTATION.—The

17   Secretary shall work with relevant stakeholders

18   to determine the manner in which the data de-

19   scribed under subparagraph (A) is collected in

20   order to ensure compliance with such subpara-

21   graph."; and

22   (D) by inserting after paragraph (3) the

23   following:

24   "(4) TECHNICAL ASSISTANCE.—The Secretary

25   shall provide technical assistance to institutions of

1 higher education receiving grants under this section

2 to help such institutions meet necessary reporting

3 requirements.'';

4   (6) by redesignating subsection (g) as sub-

5   section (h);

6   (7) by inserting after subsection (f) the fol-

7   lowing:

8 ''(g) NONDISCRIMINATION.—No person in the United

9 States shall, on the basis of actual or perceived race, color,

10 religion, national origin, sex (including sexual orientation

11 and gender identity), or disability, be excluded from par-

12 ticipation in, be denied the benefits of, or be subjected to

13 discrimination by any program funded, in whole or in part,

14 with funds made available under this section or with

15 amounts appropriated for grants, contracts, or certificates

16 administered with such funds.''; and

17   (8) in subsection (h), as redesignated by para-

18   graph (6), by striking ''such sums as may be nec-

19   essary for fiscal year 2009 and each of the five suc-

20   ceeding fiscal years'' and inserting ''$200,000,000

21   for fiscal year 2020 and each succeeding fiscal

22   year''.

○