

113TH CONGRESS
2D SESSION

H. R. 5000

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2014

Ms. FRANKEL of Florida (for herself, Ms. MOORE, Mr. CONYERS, Ms. BROWN of Florida, Ms. KAPTUR, Mrs. NEGRETE McLEOD, Ms. NORTON, Ms. CLARK of Massachusetts, Ms. LEE of California, Ms. HANABUSA, Mr. NADLER, Ms. MATSUI, Mr. JOHNSON of Georgia, Ms. DELAURO, Mr. MEEKS, Mr. CROWLEY, Mr. LOEBSACK, Ms. MCCOLLUM, Mr. HONDA, Mr. COHEN, Mr. SABLAN, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. RUSH, Mr. ENYART, Mr. BUTTERFIELD, Mr. RANGEL, Ms. MENG, Ms. TITUS, Mrs. BUSTOS, Ms. CHU, Mr. HASTINGS of Florida, Mr. CICILLINE, Mr. GRAYSON, Mr. GRIJALVA, Mr. YARMUTH, Mr. GARAMENDI, Mr. DEUTCH, Ms. CASTOR of Florida, Ms. EDWARDS, Ms. BROWNLEY of California, Ms. PINGREE of Maine, Ms. SLAUGHTER, Mr. TONKO, Ms. BASS, Ms. HAHN, Ms. WILSON of Florida, Mrs. KIRKPATRICK, Ms. SEWELL of Alabama, Mr. SEAN PATRICK MALONEY of New York, Ms. WASSERMAN SCHULTZ, Ms. SHEA-PORTER, Ms. CLARKE of New York, Mr. VARGAS, Ms. FUDGE, Mr. MCGOVERN, Ms. ESTY, Mr. ELLISON, Mr. TIERNEY, Mr. KEATING, Mr. CARSON of Indiana, Ms. LOFGREN, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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 “Working Families
5 Child Care Act of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

15 (2) Child care is second only to the family as
16 the setting in which early development takes place
17 for many infants and toddlers. Sixty-one percent of
18 mothers with children younger than 3 years of age
19 are in the labor force and over 6,000,000 children
20 younger than 3 years of age are cared for by some-
21 one other than their parents for some part or all of
22 the day. Therefore, the relationship between the
23 child and the child care provider often plays a sig-
24 nificant role in child development.

1 (3) Dramatic brain development in a child's
2 first 3 years of life, shaped by the quality of early
3 experiences and relationships with trusted adults,
4 builds the foundational architecture for thinking,
5 reasoning, language, emotion, and self-regulation.

6 (4) Early adverse experiences, such as economic
7 hardship, unstable housing, poor nutrition, abuse or
8 neglect, or parental mental health or substance
9 abuse problems, affect brain development, with ef-
10 fects on long-term productivity and health that can
11 last a life-time. Children with such hardships early
12 in life often experience high levels of chronic stress,
13 which can alter the brain's architecture and under-
14 mine developing biological systems. Almost half of
15 all infants and toddlers live in low-income families,
16 and 61 percent have at least one risk factor for poor
17 health or developmental outcomes.

18 (5) Teachers serving infants and toddlers re-
19 ceive wages that are 28 percent lower than those of
20 teachers serving 3–5 year olds. Some difference re-
21 mains even when education is taken into account.
22 The median hourly wage for a teacher with a BA de-
23 gree serving infants and toddlers is \$11.30 com-
24 pared with \$15.50 for teachers serving 3–5 year-
25 olds.

1 (6) Low reimbursement rates to providers make
2 it extremely challenging to offer high quality care to
3 low-income children. In 2013, just three states set
4 their reimbursement rates at the 75th percentile of
5 current market rates. Many states set their rates
6 substantially below the 75th percentile.

7 (7) Research shows that high-quality child care
8 can mitigate some of the effects of adverse experi-
9 ences, including poverty, and that low-income chil-
10 dren in particular can benefit from high-quality child
11 care that provides nurturing, child-centered teachers
12 and a safe, predictable environment. Yet, at-risk
13 children younger than 3 years of age often receive
14 low-quality child care that can lead to poor develop-
15 mental outcomes.

16 (8) High-quality child care has been shown to
17 promote positive cognitive, language, and social and
18 emotional development, and contribute to academic
19 success. Specifically, high-quality child care can also
20 help improve a child's communication skills, behav-
21 ioral skills, math and language assessment scores,
22 and verbal intelligence.

23 (9) Research has found strong connections be-
24 tween provider education and training levels and
25 child care quality, including positive caregiving that

1 can improve child outcomes. More than a quarter of
2 infant-toddler teachers have only a high school edu-
3 cation, twice the rate for teachers of preschool age
4 children. 19 percent of infant-toddler teachers have
5 a bachelor's degree compared with 45 percent of
6 teachers of 3–5 year olds. Twenty-seven States have
7 an infant-toddler credential defining the particular
8 knowledge and skills needed to work with children
9 younger than 3 years of age, but only 17 States re-
10 quire specific qualifications for infant-toddler staff.

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

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

24 (12) Infants and toddlers have unique needs
25 that differ from those of older children in areas such

1 as health and safety, interaction with teachers and
2 caregivers, and learning, yet not all States recognize
3 those differences in their Quality Rating and Im-
4 provement Systems. Just 16 States have infant and
5 toddler standards in their Quality Rating and Im-
6 provement Systems.

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

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

11 “(e) SUPPLEMENTAL ENTITLEMENT FOR CHILD
12 CARE ASSISTANCE FOR FAMILIES WITH INFANTS OR
13 TODDLERS.—

14 “(1) IN GENERAL.—Each State to which an
15 amount is required to be paid under subsection
16 (a)(2)(C) for a fiscal year shall, for the purpose of
17 providing child care assistance for families with a
18 child who has not attained 3 years of age, be enti-
19 tled to payments for the fiscal year under a grant
20 made under this subsection.

21 “(2) FEDERAL MATCHING OF STATE EXPENDI-
22 TURES.—The amount of the grant payable to a
23 State under this subsection for a fiscal year shall be
24 the lesser of—

1 “(A) the allotment of the State under
2 paragraph (3) for the fiscal year; or

3 “(B) the Federal medical assistance per-
4 centage for the State for the fiscal year (as de-
5 fined in section 1905(b), as such section was in
6 effect on September 30, 1995) of the total
7 amount of the State’s expenditures for child
8 care in the fiscal year not taken into account
9 under subsection (a)(2) for the fiscal year.

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

13 “(A) the total amount available for pay-
14 ments to States under this subsection for the
15 fiscal year, after making the reservation re-
16 quired by paragraph (6); multiplied by

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

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

22 “(4) REDISTRIBUTION.—

23 “(A) IN GENERAL.—The 1st sentence of
24 subsection (a)(2)(D)(i) shall apply with respect
25 to amounts appropriated under paragraph (5)

1 of this subsection in the same manner in which
2 that sentence applies with respect to amounts
3 appropriated under subsection (a)(3). The
4 amounts available for redistribution by reason
5 of the preceding sentence shall be redistributed
6 to a State based on the formula set forth in
7 paragraph (3)(B) of this subsection.

8 “(B) TIME OF DETERMINATION AND DIS-
9 TRIBUTION.—Subsection (a)(2)(D)(ii) shall
10 apply with respect to amounts appropriated
11 under paragraph (5) of this subsection in the
12 same manner in which subsection (a)(2)(D)(ii)
13 applies with respect to amounts appropriated
14 under subsection (a)(3).

15 “(5) APPROPRIATION.—For grants under this
16 subsection, there are appropriated \$2,000,000,000
17 for each fiscal year.

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

23 “(7) USE OF FUNDS.—Notwithstanding sub-
24 section (c), subsection (b) shall apply with respect to
25 amounts appropriated under paragraph (5) of this

1 subsection in the same manner in which subsection
2 (b) applies with respect to amounts appropriated
3 under subsection (a)(3), except that amounts re-
4 ceived by a State under this subsection shall be
5 used—

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

10 “(B) to increase reimbursement rates to
11 providers of child care services to such fami-
12 lies.”.

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

15 (a) HIGH-QUALITY INFANT AND TODDLER CARE
16 PROGRAM.—The Child Care and Development Block
17 Grant Act of 1990 is amended by inserting after section
18 658G (42 U.S.C. 9858e) the following:

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

21 “(a) DEFINITIONS.—In this section:

22 “(1) ELIGIBLE INFANT OR TODDLER CARE PRO-
23 VIDER.—The term ‘eligible infant or toddler care
24 provider’ means an eligible child care provider, con-

1 sistent with section 658P, who provides care to an
2 infant or toddler.

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

6 “(3) INFANT OR TODDLER WITH A DEVELOP-
7 MENTAL DELAY OR DISABILITY.—

8 “(A) IN GENERAL.—The term ‘infant or
9 toddler with a developmental delay or disability’
10 has the meaning given the term ‘infant or tod-
11 dler with a disability’ in section 632 of the Indi-
12 viduals with Disabilities Education Act (20
13 U.S.C. 1432).

14 “(B) PLURAL FORM.—The term ‘infants
15 and toddlers with developmental delays or dis-
16 abilities’ means more than 1 infant or toddler
17 with a developmental delay or disability.

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

22 “(5) LOW-INCOME COMMUNITY.—The term
23 ‘low-income community’ shall be defined by the Sec-
24 retary.

1 “(6) LOW-INCOME FAMILY.—The term ‘low-in-
2 come family’ means a family with a family income
3 described in section 658P(4)(B).

4 “(b) GRANTS.—

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

9 “(2) ALLOTMENTS.—

10 “(A) AMOUNTS RESERVED.—

11 “(i) TERRITORIES AND POSSES-
12 SIONS.—The Secretary shall reserve an
13 amount not to exceed 0.5 percent of the
14 amount appropriated under this section for
15 each fiscal year for payments to Guam,
16 American Samoa, the United States Virgin
17 Islands, and the Commonwealth of the
18 Northern Mariana Islands, to be allotted in
19 accordance with their respective needs.

20 “(ii) INDIAN TRIBES.—The Secretary
21 shall reserve not less than 1 percent, and
22 not more than 2 percent, of the amount
23 appropriated under this section for each
24 fiscal year for payments to Indian tribes

1 and tribal organizations with applications
2 approved under section 6580(c).

3 “(B) ALLOTMENTS TO STATES.—After
4 making reservations under subparagraph (A),
5 the Secretary shall use the remainder of the
6 amount appropriated under this section for a
7 fiscal year to allot to each State an amount
8 that bears the same relationship to that remain-
9 der as the amount allotted to the State under
10 section 6580 for that fiscal year bears to the
11 amount allotted to all States under section
12 6580 for that fiscal year.

13 “(C) STATE.—In this paragraph, the term
14 ‘State’ does not include Guam, American
15 Samoa, the United States Virgin Islands, or the
16 Commonwealth of the Northern Mariana Is-
17 lands.

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

23 “(d) USE OF FUNDS.—

24 “(1) IN GENERAL.—A State that receives a
25 grant under this section shall use the funds made

1 available through the grant to carry out 1 or more
2 of the activities described in paragraphs (2) through
3 (7).

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

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

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

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

21 “(ii)(I) is ranked at the top level of
22 the State’s Quality Rating and Improve-
23 ment System or similar rating system or
24 accredited by a national accrediting body
25 recognized, before the date of enactment of

1 the Infant and Toddler Care Improvement
2 Act, for high-quality program standards
3 that are valid and reliable; or

4 “(II) is an Early Head Start agency
5 under section 645A of the Head Start Act
6 (42 U.S.C. 9840a) that is in full compli-
7 ance with the performance standards appli-
8 cable to such an agency under the Head
9 Start Act (42 U.S.C. 9831 et seq.).

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

12 “(i) shall give priority to entities that
13 will serve significant populations of low-in-
14 come families; and

15 “(ii) may give priority to entities
16 that—

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

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

23 “(III) will increase the ability of
24 caregivers to provide appropriate serv-
25 ices and coordinate activities with

1 State and local systems providing
2 services under part C of the Individ-
3 uals with Disabilities Education Act
4 (20 U.S.C. 1431 et seq.) for children
5 with developmental delays or disabil-
6 ities, including such children in the
7 child welfare system of the State.

8 “(3) STAFFED FAMILY CHILD CARE NETWORKS
9 OR SYSTEMS.—

10 “(A) IN GENERAL.—A State may use the
11 funds described in paragraph (1) to make
12 grants to organizations with expertise in pro-
13 viding child care and related technical assist-
14 ance, to establish new staffed family child care
15 networks (new as of the date of amendment of
16 the State plan under subsection (c)) or to oper-
17 ate existing staffed family child care networks
18 or systems that offer, to family child care pro-
19 viders who are eligible infant and toddler care
20 providers, technical assistance, training, admin-
21 istrative support, or direct services including
22 monitoring visits to providers.

23 “(B) PRIORITY.—In making grants under
24 this paragraph, a State—

1 “(i) shall give priority to organizations
2 described in paragraph (2)(C)(I); and

3 “(ii) may give priority to organiza-
4 tions that have 1 or more of the 3 charac-
5 teristics described in paragraph (2)(C)(ii).

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

8 “(A) IN GENERAL.—A State may use the
9 funds described in paragraph (1) to support, or
10 to make a grant to an organization with exper-
11 tise in providing child care technical assistance
12 to support, a statewide network of specialists
13 who are eligible infant and toddler care pro-
14 viders, that shall—

15 “(i) provide individual or group train-
16 ing and intensive consultation services to
17 eligible infant and toddler care providers,
18 including relative caregivers, on strategies
19 to improve the quality of care for infants
20 and toddlers; and

21 “(ii) assist eligible infant and toddler
22 care providers in coordinating activities
23 with other offices responsible for child
24 care, including Early Head Start programs
25 and Head Start programs carried out

1 under the Head Start Act (42 U.S.C. 9831
2 et seq.).

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

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

8 “(ii) may give priority to networks
9 that deliver support to providers that have
10 1 or more of the 3 characteristics de-
11 scribed in paragraph (2)(C)(ii).

12 “(5) STATE WORKFORCE QUALITY INITIA-
13 TIVES.—

14 “(A) IN GENERAL.—A State may use the
15 funds described in paragraph (1) to support ini-
16 tiatives to improve the quality of the workforce
17 of eligible infant and toddler care providers, in-
18 cluding activities that are culturally and linguis-
19 tically competent to support a diverse workforce
20 reflecting the race and ethnicity of children
21 served, such as—

22 “(i) providing relevant training, pro-
23 fessional development, or mentoring to eli-
24 gible infant and toddler care providers, in-
25 cluding linking the training, development,

1 or mentoring to career pathways for eligi-
2 ble infant and toddler care providers;

3 “(ii) providing scholarships or other
4 financial support to eligible infant and tod-
5 dler care providers to advance their edu-
6 cation and training;

7 “(iii) coordinating activities with the
8 State’s higher education system to expand
9 the availability and quality of coursework
10 for infant and toddler care providers, in-
11 cluding developing career pathways for eli-
12 gible infant and toddler care providers; or

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

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

18 “(A) develop infant and toddler compo-
19 nents for the State’s Quality Rating and Im-
20 provement System or similar rating system,
21 child care licensing regulations, or voluntary
22 early learning guidelines;

23 “(B) improve the ability of parents to ob-
24 tain information about high-quality infant and
25 toddler care; or

1 “(C) assist eligible infant and toddler care
2 providers seeking to improve the quality of their
3 infant and toddler care by increasing their
4 ranking on the State’s Quality Rating and Im-
5 provement System or similar rating system,
6 meeting performance standards applicable to an
7 Early Head Start agency under the Head Start
8 Act (42 U.S.C. 9831 et seq.), or becoming ac-
9 credited by a national accrediting body de-
10 scribed in paragraph (2)(B)(ii).

11 “(7) OTHER HIGH-QUALITY INITIATIVES.—A
12 State may use the funds described in paragraph (1)
13 to carry out other activities determined by the State
14 to improve the quality of infant and toddler care
15 provided in the State and for which there is evidence
16 that the activities will lead to improved infant and
17 toddler safety, infant and toddler development, or in-
18 fant and toddler well-being.

19 “(e) REPORTING.—A State that receives a grant
20 under subsection (b) shall submit in the State’s annual
21 reports required under section 658K(a)(2), information on
22 how the State is using the funding provided under sub-
23 section (b) to improve the quality of infant and toddler
24 care and the effect such funding is having on the quality
25 of infant and toddler care in the State.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$500,000,000 for fiscal year 2015 and \$500,000,000 for
4 each subsequent fiscal year.”.

5 (b) CONFORMING AMENDMENTS.—

6 (1) AUTHORIZATION.—Section 658B of the
7 Child Care and Development Block Grant Act of
8 1990 (42 U.S.C. 9858) is amended by inserting
9 “(other than section 658H)” after “subchapter”.

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

○