

111TH CONGRESS  
1ST SESSION

# S. 1000

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 7, 2009

Mr. CASEY (for himself and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Starting Early Start-  
5 ing Right Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

1           (1) Children in child care learn and develop  
2 skills they need to succeed in school and in life.  
3 Child care is also fundamental to helping families  
4 get ahead by giving parents the support and peace  
5 of mind they need to be productive at work.

6           (2) Child care teachers and providers carry the  
7 responsibility of providing a safe, nurturing, and  
8 stimulating setting for children entrusted to them  
9 each day.

10          (3) In 2006, the average wage for a child care  
11 worker was \$9.05 per hour or \$18,820 annually. For  
12 full-time, full-year work this is only slightly above  
13 the 2006 poverty guidelines of \$16,600 for a mother  
14 with 2 children.

15          (4) As a result of low wages and limited bene-  
16 fits, many child care providers do not work for long  
17 periods in the child care field. Only 65 percent of  
18 those employed in the child care field in 2005 were  
19 still working in child care in 2006. Such high turn-  
20 over rates deny children consistent and stable rela-  
21 tionships with their teachers.

22          (5) Current reimbursement rates for child care  
23 providers receiving Federal funds are insufficient to  
24 recruit and retain qualified child care providers and

1 to ensure high-quality early care and education serv-  
2 ices for children.

3 (6) Research shows that high-quality child care  
4 helps low-income children enter school ready to suc-  
5 ceed. One study found that children who had en-  
6 rolled in high-quality child care demonstrated great-  
7 er mathematical ability and thinking and attention  
8 skills, and experienced fewer behavior problems than  
9 other children in second grade. Effects were particu-  
10 larly strong for low-income children.

11 (7) Millions of low-income children could benefit  
12 from high-quality child care. In 2007, 10,500,000  
13 children under age 6 (43 percent) lived in low-in-  
14 come families (families with incomes below 200 per-  
15 cent of poverty).

16 (8) Inadequate funding has reduced the number  
17 of children with access to child care. Only about 1  
18 in 7 eligible children receives Federal child care as-  
19 sistance.

20 (9) Many women work in low-wage jobs and  
21 cannot cover the cost of child care. For example,  
22 two-thirds of working poor families headed by single  
23 mothers who paid for child care spent at least 40  
24 percent of their cash income on child care.



1 (b) APPLICATION AND PLAN.—Section 658E(c) of  
2 the Child Care and Development Block Grant Act of 1990  
3 (42 U.S.C. 9858c(e)) is amended—

4 (1) in paragraph (2)—

5 (A) in subparagraph (E)—

6 (i) redesignating clause (ii) as clause  
7 (iii); and

8 (ii) by inserting after clause (i), the  
9 following:

10 “(ii) SITE VISITS.—Certify that the  
11 State has in effect licensing requirements  
12 applicable to child care providers within  
13 the State that include one annual an-  
14 nounced and one annual unannounced visit  
15 to each site at which the provider provides  
16 child care services. Nothing in the pre-  
17 ceding sentence shall be construed to re-  
18 quire that licensing requirements be ap-  
19 plied to specific types of providers of child  
20 care services.

21 “(iii) TRAINING.—Certify that the  
22 State has in effect licensing or registration  
23 requirements applicable to child care pro-  
24 viders within the State that require, within  
25 3 years of the date of enactment of the

1 Starting Early Starting Right Act, that  
2 every lead teacher or aide of the provider,  
3 and each family child care provider—

4 “(I) have at least 40 hours of ap-  
5 propriate health, safety, and child de-  
6 velopment training prior to their em-  
7 ployment with or operation as a pro-  
8 vider (as determined in accordance  
9 with guidelines to be issued by the  
10 Secretary); and

11 “(II) have at least 24 hours of  
12 annual training in appropriate health,  
13 safety, and child development training  
14 (as determined in accordance with  
15 guidelines to be issued by the Sec-  
16 retary).

17 “(iv) OTHER TRAINING.—Certify that  
18 the State has a plan to implement, within  
19 3 years of the date of enactment of the  
20 Starting Early Starting Right Act, pre-  
21 and in-service training requirements appli-  
22 cable to child care providers that provide  
23 services for which assistance is made avail-  
24 able under this subchapter.

1                   “(v) TRAINING FOR LIMITED ENGLISH  
 2 PROFICIENT (LEP) PROVIDERS.—Certify  
 3 that the State has a plan to provide for the  
 4 training of child care service providers with  
 5 limited-English-proficiency to provide high-  
 6 quality child care services.”;

7 (B) in subparagraph (H)—

8                   (i) by striking “Demonstrate the man-  
 9 ner” and inserting the following:

10                   “(i) IN GENERAL.—Demonstrate the  
 11 manner”; and

12                   (ii) by adding at the end the fol-  
 13 lowing:

14                   “(iii) SPECIFIC NEEDS.—Demonstrate  
 15 the manner in which the State will meet  
 16 the specific child care needs of low-income  
 17 and working families, including—

18                   “(I) the outreach strategies to be  
 19 used to reach hard-to-serve children,  
 20 including low-income children, English  
 21 language learners, children with spe-  
 22 cial needs, and children in rural areas;

23                   “(II) the use of contracts with  
 24 child care centers, family child care  
 25 homes, and organizations that manage

1 and support family child care net-  
2 works to reach hard-to-serve children  
3 and underserved communities;

4 “(III) the use of pilot or dem-  
5 onstration projects to increase the  
6 supply of high-quality child care in  
7 underserved communities;

8 “(IV) the use of pilot or dem-  
9 onstration projects that demonstrate  
10 effective techniques and approaches of  
11 specialized training for child care  
12 service providers with limited-English-  
13 proficiency to improve their ability to  
14 provide high-quality child care serv-  
15 ices; and

16 “(V) the use of pilot or dem-  
17 onstration projects that demonstrate  
18 effective techniques and approaches of  
19 specialized training for child care pro-  
20 viders working with children with de-  
21 velopmental disabilities.”; and

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

23 “(I) CONTINUOUS CARE.—Demonstrate  
24 how the State is implementing practices and  
25 procedures to help ensure that children receive



1 continuous care from the same provider, includ-  
2 ing through—

3 “(i) the use of contracts with child  
4 care centers, family child care homes, and  
5 organizations that manage and support  
6 family child care networks for underserved  
7 populations;

8 “(ii) extending periods of redetermina-  
9 tion for all families to 1 year;

10 “(iii) extending periods of job search  
11 eligibility; and

12 “(iv) informing families and providers  
13 that eligibility is ending in a timely man-  
14 ner and in multiple formats.”; and

15 (2) in paragraph (4)—

16 (A) by redesignating subparagraph (B) as  
17 subparagraph (D); and

18 (B) by inserting after subparagraph (A),  
19 the following:

20 “(B) IN GENERAL.—The State plan shall  
21 provide information demonstrating that the  
22 State is ensuring that payment rates for the  
23 provision of child care services for which assist-  
24 ance is provided under this subchapter are  
25 equal to or exceed the 75th percentile of the

1 current market rate for all types of child care,  
 2 based on a research-based market rate survey  
 3 that includes variations for geography, age of  
 4 children, and provider type.

5 “(C) CHILD CARE FOR SPECIAL POPU-  
 6 LATIONS.—The State plan shall describe efforts  
 7 to address the need for child care for special  
 8 populations, including care in low-income and  
 9 rural areas, care for infants and toddlers, care  
 10 for children with special needs, care for other  
 11 populations, and care during nonstandard  
 12 hours, such as paying rates for the provision of  
 13 child care services for which assistance is pro-  
 14 vided under this subchapter that exceed the  
 15 75th percentile of a current market rate for all  
 16 types of care (based on the survey under sub-  
 17 paragraph (B)).”.

18 (c) ACTIVITIES TO IMPROVE THE QUALITY OF CHILD  
 19 CARE.—Section 658G of the Child Care and Development  
 20 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended  
 21 to read as follows:

22 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**  
 23 **CHILD CARE.**

24 “(a) IN GENERAL.—A State that receives funding to  
 25 carry out this subchapter for a fiscal year, shall use not

1 less than 15 percent of the amount of such funds for ac-  
2 tivities that are designed to improve the quality of child  
3 care, including the implementation of 1 or more of the  
4 following:

5           “(1) Developing and implementing a Quality  
6 Rating and Improvement System (referred to in this  
7 section as the ‘QRIS’) for child care centers and  
8 family child care homes, including criteria appro-  
9 priate for each age group eligible for assistance  
10 under this subchapter with levels that lead to nation-  
11 ally recognized high standards.

12           “(2) Providing assistance for education, train-  
13 ing, and compensation initiatives to assist child care  
14 providers in meeting and maintaining the criteria for  
15 achieving progressively higher rating levels under the  
16 QRIS.

17           “(3) Providing grants and other types of assist-  
18 ance, including mentoring, to assist child care pro-  
19 viders in meeting and maintaining the criteria for  
20 achieving progressively higher rating levels under the  
21 QRIS.

22           “(4) Maintaining a Statewide network of child  
23 care resource and referral programs.

24           “(5) Inspecting and monitoring child care pro-  
25 grams.

1           “(6) Providing grants to assist child care pro-  
2           viders, including those who are limited-English-pro-  
3           ficient, in becoming licensed or regulated and in  
4           meeting pre-service and ongoing training require-  
5           ments.

6           “(7) Offering other assistance to child care pro-  
7           viders to strengthen the quality of child care, includ-  
8           ing support for education and training initiatives  
9           tied to compensation.

10           “(8) Providing grants to assist child care pro-  
11           viders who are not required to be licensed or reg-  
12           istered in receiving appropriate training and sup-  
13           port.

14           “(9) Developing and implementing technological  
15           resources to assist low-income families in applying  
16           for child care assistance as well as to educate fami-  
17           lies concerning the range of and quality ratings of  
18           various child care providers.

19           “(b) EXTENSION FOR FULL-DAY CARE.—A State  
20           that receives funding to carry out this subchapter for a  
21           fiscal year, shall use not less than 5 percent of the amount  
22           of such funds for activities that are designed to fund ac-  
23           tivities to extend the day or year for those children who  
24           are eligible for child care services and attend part day or  
25           year programs.

1       “(c) HIGH-QUALITY CARE FOR INFANTS AND TOD-  
 2 DLERS.—A State that receives funding to carry out this  
 3 subchapter for a fiscal year shall use not less than 30 per-  
 4 cent of the amount of such funds for activities that are  
 5 designed to fund initiatives to improve the quality and ex-  
 6 pand the availability of high-quality care for infants and  
 7 toddlers.”.

8       (d) REPORTING REQUIREMENTS.—Section 658K(a)  
 9 of the Child Care and Development Block Grant Act of  
 10 1990 (42 U.S.C. 9858i(a)) is amended by adding at the  
 11 end the following:

12           “(3) BIENNIAL REPORTS.—Not later than De-  
 13 cember 31, 2009, and every 2 years thereafter, a  
 14 State that operates a Quality Rating and Improve-  
 15 ment System (referred to in this section as the  
 16 ‘QRIS’) shall prepare and submit to the Secretary a  
 17 report that includes aggregate data concerning—

18           “(A) the number of licensed centers and  
 19 family child care providers in the State;

20           “(B) the number of child care providers in  
 21 each level of the State QRIS, listed by type,  
 22 race and ethnicity, geographic area of the State,  
 23 and number of children that each such provider  
 24 is licensed to serve;

1           “(C) the disaggregated number and per-  
2           centages of children receiving child care assist-  
3           ance under this subchapter in each level of the  
4           State QRIS;

5           “(D) whether any change occurred in the  
6           number and percentage of child care providers  
7           in each level of the State QRIS, listed by type,  
8           geographic area of the State, and number of  
9           children each such provider is licensed to serve;

10          “(E) the disaggregated number and per-  
11          centage of children receiving child care assist-  
12          ance under this subchapter who are receiving  
13          care from child care providers in a higher-qual-  
14          ity level (as determined under the State QRIS)  
15          as compared to the previous 12-month period;

16          “(F) the disaggregated number of child  
17          care providers in low-income communities who  
18          have moved up to a higher-quality level of child  
19          care (as determined under the State QRIS) as  
20          compared to the previous 12-month period; and

21          “(G) the average child care reimbursement  
22          rate under this subchapter at each level of the  
23          State QRIS, listed by provider type, race and  
24          ethnicity, and geographic area of the State.

1           “(4) 5-YEAR REPORT.—Not later than Decem-  
2           ber 31, 2014, and every 5 years thereafter, a State  
3           described in paragraph (1)(A) shall prepare and sub-  
4           mit to the Secretary a report that includes aggregate  
5           data concerning the average individual compensation  
6           paid for each of the following in all licensed child  
7           care programs, disaggregated by race, ethnicity, cre-  
8           dentials, and program type in the State:

9                   “(A) Lead teacher.

10                   “(B) Classroom assistant or aide.

11                   “(C) Family child care provider.

12                   “(D) Family child care assistant.”.

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