

112TH CONGRESS
1ST SESSION

S. 1155

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.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2011

Mr. CASEY (for himself and Ms. MIKULSKI) 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 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 2010, the average wage for a child care
11 worker was \$10.15 per hour or \$21,110 annually.
12 For full-time, full-year work this is only slightly
13 above the 2010 poverty guidelines of \$18,310 for a
14 mother 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) In 2009, 11,700,000 children under age 6
12 (46 percent) lived in low-income families (families
13 with incomes below 200 percent of poverty).

14 (8) Only about 1 in 6 eligible children receives
15 Federal child care assistance.

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

21 (10) Problems with child care can make it dif-
22 ficult for parents, particularly low-income parents, to
23 work, causing them to lose wages, be denied a pro-
24 motion, or lose their jobs.

1 (11) Research shows that single mothers and
 2 former welfare recipients who received child care as-
 3 sistance were much more likely to remain employed
 4 after 2 years than those who did not receive child
 5 care assistance.

6 (b) PURPOSE.—The purpose of this Act is to im-
 7 prove—

8 (1) access to high quality early learning and
 9 child care for low-income children and working fami-
 10 lies; and

11 (2) the quality of child care and the number of
 12 high quality child care providers.

13 **SEC. 3. AMENDMENTS TO THE CHILD CARE AND DEVELOP-**
 14 **MENT BLOCK GRANT ACT OF 1990.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 16 658B of the Child Care and Development Block Grant Act
 17 of 1990 (42 U.S.C. 9858) is amended—

18 (1) by striking “is” and inserting “are”; and

19 (2) by striking “subchapter” and all that fol-
 20 lows and inserting “subchapter such sums as may be
 21 necessary for each of fiscal years 2012 through
 22 2016.”.

23 (b) APPLICATION AND PLAN.—Section 658E(c) of
 24 the Child Care and Development Block Grant Act of 1990
 25 (42 U.S.C. 9858c(c)) is amended—

1 (1) in paragraph (2)—

2 (A) in subparagraph (E)—

3 (i) redesignating clause (ii) as clause
4 (iii); and

5 (ii) by inserting after clause (i), the
6 following:

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

18 “(iii) **TRAINING.**—Certify that the
19 State has in effect licensing or registration
20 requirements applicable to child care pro-
21 viders within the State that require, within
22 3 years of the date of enactment of the
23 Starting Early Starting Right Act, that
24 every lead teacher or aide of the provider,
25 and each family child care provider—

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

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

14 “(iv) OTHER TRAINING.—Certify that
15 the State has a plan to implement, within
16 3 years of the date of enactment of the
17 Starting Early Starting Right Act, pre-
18 and in-service training requirements appli-
19 cable to child care providers that provide
20 services for which assistance is made avail-
21 able under this subchapter.

22 “(v) TRAINING FOR LIMITED ENGLISH
23 PROFICIENT (LEP) PROVIDERS.—Certify
24 that the State has a plan to provide for the
25 training of child care service providers with

1 limited-English-proficiency to provide high-
2 quality child care services.”;

3 (B) in subparagraph (H)—

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

6 “(i) IN GENERAL.—Demonstrate the
7 manner”; and

8 (ii) by adding at the end the fol-
9 lowing:

10 “(iii) SPECIFIC NEEDS.—Demonstrate
11 the manner in which the State will meet
12 the specific child care needs of low-income
13 and working families, including—

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

19 “(II) the use of contracts with
20 child care centers, family child care
21 homes, and organizations that manage
22 and support family child care net-
23 works to reach hard-to-serve children
24 and underserved communities;

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

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

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

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

20 “(I) CONTINUOUS CARE.—Demonstrate
21 how the State is implementing practices and
22 procedures to help ensure that children receive
23 continuous care from the same provider, includ-
24 ing through—

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

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

8 “(iii) extending periods of job search
9 eligibility; and

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

13 (2) in paragraph (4)—

14 (A) by redesignating subparagraph (B) as
15 subparagraph (D); and

16 (B) by inserting after subparagraph (A),
17 the following:

18 “(B) IN GENERAL.—The State plan shall
19 provide information demonstrating that the
20 State is ensuring that payment rates for the
21 provision of child care services for which assist-
22 ance is provided under this subchapter are
23 equal to or exceed the 75th percentile of the
24 current market rate for all types of child care,
25 based on a research-based market rate survey

1 that includes variations for geography, age of
2 children, and provider type.

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

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

20 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
21 **CHILD CARE.**

22 “(a) IN GENERAL.—A State that receives funding to
23 carry out this subchapter for a fiscal year, shall use not
24 less than 15 percent of the amount of such funds for ac-
25 tivities that are designed to improve the quality of child

1 care, including the implementation of 1 or more of the
2 following:

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

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

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

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

22 “(5) Inspecting and monitoring child care pro-
23 grams.

24 “(6) Providing grants to assist child care pro-
25 viders, including those who are limited-English-pro-

1 efficient, in becoming licensed or regulated and in
2 meeting pre-service and ongoing training require-
3 ments.

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

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

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

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

24 “(c) HIGH QUALITY CARE FOR INFANTS AND TOD-
25 DLERS.—A State that receives funding to carry out this

1 subchapter for a fiscal year, shall use not less than 30
2 percent of the amount of such funds for activities that
3 are designed to fund initiatives to improve the quality and
4 expand the availability of high quality care for infants and
5 toddlers.”.

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

10 “(3) BI-ANNUAL REPORTS.—Not later than De-
11 cember 31, 2011, and every 2 years thereafter, a
12 State that operates a Quality Rating and Improve-
13 ment System (referred to in this section as the
14 ‘QRIS’) shall prepare and submit to the Secretary a
15 report that includes aggregate data concerning—

16 “(A) the number of licensed center and
17 family child care providers in the State;

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

23 “(C) the disaggregated number and per-
24 centages of children receiving child care assist-

1 ance under this subchapter in each level of the
2 State QRIS;

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

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

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

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

23 “(4) 5-YEAR REPORT.—Not later than Decem-
24 ber 31, 2016, and every 5 years thereafter, a State
25 described in paragraph (1)(A) shall prepare and sub-

1 mit to the Secretary a report that includes aggregate
2 data concerning the average individual compensation
3 paid for each of the following in all licensed child
4 care programs, disaggregated by race, ethnicity, cre-
5 dentials, and program type in the State:

6 “(A) Lead teacher.

7 “(B) Classroom assistant or aide.

8 “(C) Family child care provider.

9 “(D) Family child care assistant.”.

○