

117TH CONGRESS
1ST SESSION

S. 1360

To amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Mrs. MURRAY (for herself, Mr. CASEY, Ms. HIRONO, Mr. SCHUMER, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. LUJÁN, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, Mr. WHITEHOUSE, and Mr. WYDEN) 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 and the Head Start Act to promote child care and early learning, 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 “Child Care for Work-
5 ing Families Act”.

TITLE I—CHILD CARE AND DEVELOPMENT ASSISTANCE

SEC. 101. PURPOSES.

Section 658A(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 note) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) to ensure that no low- to moderate-income family pays more than 7 percent of its household income on child care;”;

(2) by striking paragraph (2) and inserting the following:

“(2) to support working parents in making their own decisions regarding the child care services that best suit their family’s needs;”;

(3) in paragraph (4)—

(A) by striking “high-quality,” and inserting “high-quality and inclusive, and”; and

(B) by inserting “, as well as before- and after-school and summer care for school-age children,” after “services”;

(4) in paragraph (5), by inserting before the semicolon the following: “, and to help child care

1 programs meet evidence-based or national standards
2 to improve the quality of child care”;

3 (5) in paragraph (6)—

4 (A) by inserting “, including children with
5 disabilities and infants and toddlers with dis-
6 abilities” before the semicolon; and

7 (B) by striking “and” at the end;

8 (6) in paragraph (7)—

9 (A) by striking “high-quality” and insert-
10 ing “high-quality and inclusive”; and

11 (B) by striking the period at the end and
12 inserting “; and”; and

13 (7) by adding at the end the following:

14 “(8) to support the development and improve-
15 ment of statewide systems to support the needs of
16 infants and toddlers with disabilities and children
17 with disabilities, better coordinate child care and
18 other services, and assist States in increasing the
19 number of child care providers that provide high-
20 quality and inclusive care to families of infants and
21 toddlers with disabilities and families of children
22 with disabilities.”.

1 **SEC. 102. APPROPRIATIONS.**

2 Section 658B of the Child Care and Development
3 Block Grant Act of 1990 (42 U.S.C. 9858) is amended
4 to read as follows:

5 **“SEC. 658B. APPROPRIATIONS.**

6 “(a) IN GENERAL.—There are authorized to be ap-
7 propriated and there are appropriated, out of any money
8 in the Treasury not otherwise appropriated—

9 “(1) to carry out this subchapter
10 \$20,000,000,000 for fiscal year 2022,
11 \$30,000,000,000 for fiscal year 2023, and
12 \$40,000,000,000 for fiscal year 2024; and

13 “(2) to carry out this subchapter (other than
14 paragraphs (1) and (2) of section 658O(a)) such
15 sums as may be necessary for fiscal year 2025 and
16 each subsequent fiscal year.

17 “(b) TERRITORIES, INDIAN TRIBES.—There are au-
18 thorized to be appropriated and there are appropriated,
19 out of any money in the Treasury not otherwise appro-
20 priated to carry out paragraphs (1) and (2) of section
21 658O(a) such sums as may be necessary for fiscal year
22 2025 and each subsequent fiscal year.”.

23 **SEC. 103. ESTABLISHMENT OF PROGRAM.**

24 Section 658C of the Child Care and Development
25 Block Grant Act of 1990 (42 U.S.C. 9858a) is amended
26 to read as follows:

1 **“SEC. 658C. ESTABLISHMENT OF CHILD CARE PROGRAM.**

2 “(a) IN GENERAL.—The Secretary is authorized to
3 administer a child care program under which families in
4 eligible States shall be provided an opportunity to obtain
5 child care for eligible children, subject to the requirements
6 of this subchapter.

7 “(b) ASSISTANCE FOR EVERY ELIGIBLE CHILD.—
8 Beginning on October 1, 2024, every family who applies
9 for assistance under this subchapter with respect to a child
10 who resides in a State with an approved application under
11 section 658E and who is determined, by a lead agency (or
12 other entity designated by a lead agency), to be an eligible
13 child as defined in section 658P, shall be offered assist-
14 ance in accordance with and subject to the requirements
15 and limitations of this subchapter.”.

16 **SEC. 104. LEAD AGENCY.**

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

19 (1) in subsection (a), by striking “a grant” and
20 inserting “payments”; and

21 (2) in subsection (b)(1)(A), by inserting before
22 the semicolon the following: “, including by certi-
23 fying the eligibility of children”.

1 **SEC. 105. APPLICATION AND PLAN.**

2 (a) PLAN REQUIREMENTS.—Section 658E(c) of the
3 Child Care and Development Block Grant Act of 1990 (42
4 U.S.C. 9858c(c)) is amended—

5 (1) in paragraph (2)—

6 (A) in subparagraph (A)—

7 (i) by striking the matter preceding
8 clause (i) and inserting the following:

9 “(A) SUPPORTING WORKING PARENTS.—
10 Support working parents by providing assur-
11 ances that—”; and

12 (ii) by striking clause (i)(II) and in-
13 serting the following:

14 “(II) to enroll such child with a
15 child care provider who has received a
16 child care certificate on behalf of such
17 parent or parents;”;

18 (B) in subparagraph (E)—

19 (i) in clause (i)—

20 (I) by striking subclause (II) and
21 inserting the following:

22 “(II) the State’s tiered and
23 transparent system for measuring the
24 quality of child care providers, de-
25 scribed in subparagraph (W)(i), in-
26 cluding—

1 “(aa) a description of the
2 national standards or other
3 equally rigorous and evidence-
4 based standards tied to child out-
5 comes that the State uses for
6 purposes of subparagraph
7 (W)(i)(II)(aa);

8 “(bb) the payment rates re-
9 ferred to in paragraph (4), for
10 providers at each tier of such
11 system; and

12 “(cc) the number and per-
13 centage of eligible providers at
14 each tier of such system, in total
15 and disaggregated by geographic
16 location, by provider race and
17 ethnicity, and by the race and
18 ethnicity of the children served,
19 unless the disaggregation in-
20 volved would reveal personally
21 identifiable information about an
22 individual provider or child;”;

23 (II) in subclause (IV), by insert-
24 ing “the program carried out under

- 1 title II of the Child Care for Working
- 2 Families Act,” after “9831 et seq.),”;
- 3 (III) in subclause (VI), by insert-
- 4 ing “(including for families who speak
- 5 languages other than English)” after
- 6 “family engagement”; and
- 7 (IV) in subclause (VII), by strik-
- 8 ing “and” at the end;
- 9 (ii) in clause (ii), by striking the pe-
- 10 riod at the end and inserting a semicolon;
- 11 and
- 12 (iii) by adding at the end the fol-
- 13 lowing:
- 14 “(iii) information about the State’s
- 15 wage ladder described in subparagraph
- 16 (G)(iii); and
- 17 “(iv) information on opportunities for
- 18 staff of child care providers to improve
- 19 their skills and credentials, including infor-
- 20 mation about training opportunities and
- 21 professional organizations that provide
- 22 such training.”;
- 23 (C) in subparagraph (G)—
- 24 (i) in clause (i), by striking “and pro-
- 25 fessional development requirements” and

1 inserting “, professional development, and
2 compensation requirements”;

3 (ii) in clause (ii)(V)—

4 (I) by redesignating item (dd) as
5 item (ee);

6 (II) in item (cc), by striking
7 “and”; and

8 (III) by inserting after item (cc)
9 the following:

10 “(dd) infants and toddlers
11 with disabilities; and”;

12 (iii) by redesignating clauses (iii) and
13 (iv) as clauses (v) and (vi), respectively;
14 and

15 (iv) by inserting after clause (ii) the
16 following:

17 “(iii) COMPENSATION.—The plan
18 shall provide a description of the State’s
19 wage ladder for staff of eligible child care
20 providers, and an assurance that wages for
21 such staff will, at a minimum, meet the re-
22 quirements of paragraph (4)(B)(iii)(II).

23 “(iv) STAKEHOLDER ENGAGEMENT.—
24 The plan shall demonstrate how the State
25 will facilitate participation of staff of eligi-

1 ble child care providers in organizations
 2 that foster the professional development
 3 and stakeholder engagement of the child
 4 care workforce.”;

5 (D) in subparagraph (I), by striking clause
 6 (ii) and inserting the following:

7 “(ii) may include other requirements,
 8 such as—

9 “(I) requirements relating to nu-
 10 trition, access to physical activity, or
 11 any other subject area determined by
 12 the State to be necessary to promote
 13 child development or to protect chil-
 14 dren’s health and safety; and

15 “(II) a requirement to comply
 16 with the standards recommended in
 17 the Department of Health and
 18 Human Services’ report entitled ‘Car-
 19 ing for our Children Basics: Health
 20 and Safety Foundations for Early
 21 Care and Education’ issued on June
 22 25, 2015.”;

23 (E) in subparagraph (K)(i), in the matter
 24 preceding subclause (I), by striking “, not later
 25 than 2 years after the date of enactment of the

Child Care and Development Block Grant Act
of 2014,”;

(F) in subparagraph (M)—

(i) by adding “investment of quality
child care amounts described in section
658G(a)(1),” after “parents,”;

(ii) by redesignating clause (iv) as
clause (vi);

(iii) in clause (iii), by striking “, as
defined by the State; and” and inserting a
semicolon; and

(iv) by inserting after clause (iii) the
following:

“(iv) infants and toddlers with disabili-
ties;

“(v) children who are dual language
learners; and”;

(G) in subparagraph (N)—

(i) in the subparagraph heading, by
adding at the end the following “AND CON-
TINUITY OF CARE”;

(ii) in clause (i)—

(I) in subclause (I), by striking
“child’s parent” and all that follows
and inserting “child’s parent as par-

1 ticipating in an eligible activity (as de-
 2 fined in section 658P), a change in
 3 family income for the child's family,
 4 or a change in custody or guardian-
 5 ship of the child.”; and

6 (II) by adding at the end the fol-
 7 lowing:

8 “(III) LONGER-TERM PERIOD.—

9 The plan shall demonstrate that each
 10 child who, on the date the child is de-
 11 termined to be an eligible child, is a
 12 child in foster care or a homeless
 13 child, and who receives assistance
 14 under this subchapter prior to reach-
 15 ing the age of compulsory school at-
 16 tendance, shall remain eligible for
 17 such assistance and shall receive such
 18 assistance, if so desired by the child's
 19 family, until such child reaches the
 20 age of compulsory school attend-
 21 ance.”;

22 (iii) in clause (ii), by striking “(espe-
 23 cially parents in families receiving assist-
 24 ance under the program of block grants to
 25 States for temporary assistance for needy

families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.))”;

(iv) in clause (iii)—

(I) by striking “At the option of the State, the” and inserting “The”;

(II) by striking “of attendance at a job training or educational program” and inserting “of participation in an eligible activity (as defined in section 658P)”;

(III) by striking “resume attendance at a job training or educational program” and inserting “resume participation in an eligible activity (as so defined)”;

(v) by striking clause (iv);

(H) in subparagraph (O)—

(i) in clause (i), by striking “with programs operating” and all that follows and inserting “with programs, operating at the Federal, State, and local levels for children, that are—

“(I) preschool programs, programs funded under title II of the

1 Child Care for Working Families Act,
2 programs funded under the Head
3 Start Act (42 U.S.C. 9831 et seq.),
4 tribal early childhood programs, and
5 other early childhood programs, in-
6 cluding those serving infants and tod-
7 dlers with disabilities or children with
8 disabilities;

9 “(II) programs serving homeless
10 children and children in foster care;
11 and

12 “(III) programs funded under
13 the Individuals with Disabilities Edu-
14 cation Act (20 U.S.C. 1400 et seq.).”;

15 (ii) by striking clause (ii); and

16 (iii) by redesignating clause (iii) as
17 clause (ii);

18 (I) in subparagraph (Q)—

19 (i) by striking “LOW-INCOME POPU-
20 LATIONS” and inserting “CHILDREN IN
21 UNDERSERVED AREAS, CHILDREN WITH
22 DISABILITIES, AND INFANTS AND TOD-
23 DLERS WITH DISABILITIES”; and

24 (ii) by striking “The plan” and all
25 that follow and inserting “The plan shall

1 describe the process the State proposes to
 2 use, with respect to investments made to
 3 increase access to programs providing
 4 high-quality and inclusive child care and
 5 development services, to give priority for
 6 those investments to areas that have sig-
 7 nificant concentrations of poverty and un-
 8 employment and that do not have such
 9 services, and to areas that do not have
 10 such services for children with disabilities
 11 and infants and toddlers with disabilities.”;

12 (J) in subparagraph (R), by inserting “and
 13 a group of parents who use a variety of child
 14 care services that reflects the variety of child
 15 care services provided in the State” before the
 16 period;

17 (K) by striking subparagraph (S) and in-
 18 serting the following:

19 “(S) PROHIBITION ON SUSPENSIONS, EX-
 20 PULSIONS, AND AVERSIVE BEHAVIORAL INTER-
 21 VENTIONS.—The plan shall provide an assur-
 22 ance that the State will provide assistance to
 23 carry out this subchapter only to eligible child
 24 care providers that prohibit—

1 “(i) the use of suspension and expul-
 2 sion of children; and

3 “(ii) the use of aversive behavioral
 4 interventions.”;

5 (L) in subparagraph (T)—

6 (i) in clause (i)—

7 (I) in the matter preceding sub-
 8 clause (I), by striking “(or develop
 9 such guidelines if the State does not
 10 have such guidelines as of the date of
 11 enactment of the Child Care and De-
 12 velopment Block Grant Act of 2014)”;
 13 and

14 (II) in subclause (I), by striking
 15 “research-based” and inserting “evi-
 16 dence-based”; and

17 (ii) in clause (iv)—

18 (I) by striking subclauses (II)
 19 and (III);

20 (II) by striking “Federal Govern-
 21 ment” and all that follows through
 22 “mandate” and inserting “Federal
 23 Government to mandate”; and

24 (III) by striking “section;” and
 25 inserting “section.”; and

1 (M) in subparagraph (U)—

2 (i) in clause (i)—

3 (I) by striking “or a major” and
4 inserting “, a major”; and

5 (II) by inserting before the pe-
6 riod the following “, or a public health
7 emergency declared under section 319
8 of the Public Health Service Act (42
9 U.S.C. 247d)”;

10 (ii) in clause (ii), by inserting “the
11 State’s lead agency established or des-
12 ignated under section 635(a)(10) of the In-
13 dividuals with Disabilities Education Act
14 (20 U.S.C. 1435(a)(10)),” after “the State
15 resource and referral system,”; and

16 (iii) in clause (iii)(I), by inserting “in-
17 fants and toddlers with disabilities,” after
18 “children with disabilities,”; and

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

20 “(W) TIERED AND TRANSPARENT SYSTEM
21 FOR MEASURING THE QUALITY OF CHILD CARE
22 PROVIDERS.—The plan shall describe how the
23 State will develop or revise with input (from
24 early childhood education and development ex-
25 perts, from a diverse group of child care pro-

viders working in a variety of child care settings, from families, and from organizations representing child care directors, teachers, and other staff), within 3 years after the date of submission of the State application, systems for measuring the quality of eligible child care providers who provide services for which assistance is made available under this subchapter, that are inclusive and appropriate for child care providers and that consist of—

“(i) a tiered and transparent system for measuring the quality of eligible child care providers who serve eligible children, that—

“(I) applies to eligible child care providers (except providers of family, friend, or neighbor care that elect to be covered under clause (ii));

“(II) includes a set of standards, for determining the tier of quality of a child care provider, that—

“(aa) uses the degree to which the provider meets national standards (which may be Head Start program performance

standards described in section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)) or standards for national accreditation of early learning programs) or other equally rigorous and evidence-based standards that are tied to child outcomes; and

“(bb) includes indicators that are appropriate for different types of providers, including child care centers and family child care providers, and are appropriate for providers serving different age groups (including mixed age groups) of children, while maintaining a high level of quality child care by all of the different types of providers and for all of the different age groups (including mixed age groups);

“(III) includes a different set of standards that includes different indicators, to be applied, when appro-

1 priate, for care during nontraditional
2 hours of operation; and

3 “(IV) in conjunction with the in-
4 creasing payment rates under para-
5 graph (4) (increasing due to factors
6 specified in paragraph (4) such as the
7 cost estimation model and quality
8 basis for payment rates), provides for
9 sufficient resources to enable stand-
10 ards at the entry tier for such system
11 to increase in rigor over time; and

12 “(ii) a separate system of quality
13 standards for providers concerning develop-
14 mentally appropriate and age-appropriate
15 care that—

16 “(I) applies to eligible child care
17 providers of family, friend, or neigh-
18 bor care (except such providers that
19 elect to be covered under clause (i));
20 and

21 “(II) includes standards for care
22 during nontraditional hours of oper-
23 ation and traditional hours of oper-
24 ation.

“(X) PROHIBITION ON CHARGING MORE THAN COPAYMENT.—The plan shall provide that, after the systems described in subparagraph (W) are in effect, child care providers receiving financial assistance under this subchapter may not charge the family of an eligible child more than the total of—

“(i) the financial assistance provided to the family under this subchapter; and

“(ii) any applicable copayment pursuant to paragraph (5).

“(Y) POLICIES TO SUPPORT CHILDREN WITH DISABILITIES AND INFANTS AND TODDLERS WITH DISABILITIES.—The plan shall provide a description of—

“(i) how the State will ensure that eligible child care providers, except for providers of family, friend, or neighbor care that elect to be covered under subparagraph (W)(ii), will prioritize children with disabilities and infants and toddlers with disabilities for slots in programs carried out by the providers; and

“(ii) how the State will work with the State’s lead agency established or des-

1 ignated under section 635(a)(10) of the In-
 2 dividuals with Disabilities Education Act
 3 (20 U.S.C. 1435(a)(10)), local educational
 4 agencies, and early intervention services
 5 providers to provide services and supports
 6 described in the Individuals with Disabil-
 7 ities Education Act (20 U.S.C. 1400 et
 8 seq.) in inclusive child care settings to chil-
 9 dren with disabilities, and to infants and
 10 toddlers with disabilities, who are eligible
 11 children.

12 “(Z) CHILD CARE EQUITY REVIEW.—The
 13 plan shall provide a description of how the
 14 State used the results of the child care equity
 15 review required under section 658K to inform
 16 the distribution of funds under this subchapter,
 17 including funds distributed under section 658G,
 18 in an effort to improve equitable access to high-
 19 quality inclusive child care for children in the
 20 State.

21 “(AA) POLICIES TO SUPPORT CHILDREN
 22 WHO ARE DUAL LANGUAGE LEARNERS.—The
 23 plan shall provide a description of how the
 24 State will ensure that eligible child care pro-
 25 viders will support children who are dual lan-

1 guage learners, and their families, enrolled in
2 programs carried out by the providers, includ-
3 ing how the State will support child care pro-
4 viders to, to the greatest extent possible, iden-
5 tify each child’s home language through a home
6 language survey, engage with the families in a
7 culturally responsive manner, provide materials
8 and information in a format and language that
9 is accessible to parents, and recognize the
10 child’s home language as an asset and support
11 language development in the child’s home lan-
12 guage

13 “(BB) AVAILABILITY OF INFORMATION.—

14 The plan shall describe how the lead agency in-
15 tends to make information that is publicly avail-
16 able about the State’s child care program and
17 policies, in particular the information referred
18 to in subparagraphs (E), (I), and (T), available
19 in formats accessible to parents and child care
20 providers in the State, which shall include mak-
21 ing such information available in the languages
22 most commonly spoken in the State to the
23 greatest extent possible within 5 years after the
24 date of enactment of the Child Care for Work-
25 ing Families Act.

1 “(CC) ENROLLMENT PRACTICES.—The
 2 plan shall describe how the lead agency will en-
 3 sure that families have access to a low-barrier
 4 enrollment (including re-enrollment) process
 5 that is accessible to families with diverse char-
 6 acteristics, including families with adults or
 7 children with disabilities or infants and toddlers
 8 with disabilities, homeless families, families with
 9 limited access to internet connectivity, families
 10 living in rural areas, and families of dual lan-
 11 guage learners, by implementing activities such
 12 as allowing for simplified enrollment for sib-
 13 lings, coordinating with other State agencies to
 14 streamline enrollment processes across public
 15 assistance programs, requiring minimal paper-
 16 work, allowing for enrollment through a State
 17 or local website, and providing flexible submis-
 18 sion deadlines.”;

19 (2) by striking paragraph (3) and inserting the
 20 following:

21 “(3) USE OF FUNDS.—The State shall use
 22 amounts provided to the State for each fiscal year
 23 under this subchapter for child care services, pro-
 24 vided on a sliding fee scale basis, the activities de-
 25 scribed in section 658G, and State administration.”;

1 (3) by striking paragraphs (4) and (5) and in-
2 serting the following:

3 “(4) PAYMENT RATES.—

4 “(A) IN GENERAL.—The State plan
5 shall—

6 “(i) certify that payment rates for the
7 provision of child care services for which
8 assistance is provided in accordance with
9 this subchapter—

10 “(I) will be based on a cost esti-
11 mation model that is described in sub-
12 paragraph (B) and is approved by the
13 Secretary of Health and Human Serv-
14 ices; and

15 “(II) will correspond to dif-
16 ferences in quality based on the
17 State’s tiered and transparent system
18 for measuring the quality of child care
19 providers, described in paragraph
20 (2)(W)(i), and based on the standards
21 described in paragraph (2)(W)(ii); and

22 “(ii) specify whether the State is
23 electing—

24 “(I) to include, in those payment
25 rates, a bonus for serving children

1 during nontraditional hours or chil-
2 dren (including infants and toddlers)
3 described in paragraph (2)(M); or

4 “(II) to waive the copayment de-
5 scribed in paragraph (5) for a child
6 who has been identified as eligible for
7 assistance from child protective serv-
8 ices.

9 “(B) COST ESTIMATION MODEL.—The
10 State plan shall—

11 “(i) demonstrate that the State has,
12 after consulting with the entities and indi-
13 viduals described in subparagraph (D), de-
14 veloped and used (not earlier than 3 years
15 before the date of the submission of the
16 application containing the State plan) a
17 statistically valid and reliable cost esti-
18 mation model for the rates of such child
19 care services in the State—

20 “(I) for providers at each of the
21 tiers of the State’s tiered and trans-
22 parent system for measuring the qual-
23 ity of child care providers described in
24 paragraph (2)(W)(i) (which rates re-
25 flect variations in the cost of child

1 care services by geographic area, type
2 of provider, and age of child, and the
3 additional costs associated with pro-
4 viding high-quality and inclusive child
5 care services for children with disabil-
6 ities and infants and toddlers with
7 disabilities); and

8 “(II) for providers that meet the
9 standards described in paragraph
10 (2)(W)(ii);

11 “(ii) demonstrate that the State—

12 “(I) prepared a detailed report
13 containing the child care costs esti-
14 mated with the State cost estimation
15 model pursuant to clause (i), which
16 report shall include an explanation de-
17 tailing how the wage requirements de-
18 scribed in clause (iii)(II) were applied
19 in the estimation of such costs; and

20 “(II) made the estimated costs
21 widely available (not later than 30
22 days after the completion of the esti-
23 mation) through periodic means, in-
24 cluding posting the estimated costs on
25 the internet;

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

5 “(I) in accordance with the most
6 recent estimates from the most recent
7 cost estimation model used pursuant
8 to clause (i), so that providers at each
9 tier of the tiered and transparent sys-
10 tem for measuring program quality
11 receive payment that is not less than
12 the cost of meeting the requirements
13 of such tier; and

14 “(II) that maintain an effective
15 and diverse workforce by ensuring
16 wages for staff of child care providers
17 that—

18 “(aa) are comparable to
19 wages for elementary educators
20 with similar credentials and expe-
21 rience in the State; and

22 “(bb) at a minimum, provide
23 a living wage for all staff of child
24 care providers; and

1 “(iv) describe how the State will pro-
2 vide for timely payment for child care serv-
3 ices provided under this subchapter.

4 “(C) PAYMENT PRACTICES.—The State
5 plan shall include—

6 “(i) a certification that the payment
7 practices of child care providers in the
8 State that serve children who receive as-
9 sistance under this subchapter reflect gen-
10 erally accepted payment practices of child
11 care providers in the State that serve chil-
12 dren who do not receive assistance under
13 this subchapter, including the practice of
14 paying the providers the payment rate de-
15 scribed in subparagraph (A)(i) based on
16 the number of children enrolled and not
17 the number of children in daily attendance,
18 so as to provide stability of funding and
19 encourage more child care providers to
20 serve children who receive assistance under
21 this subchapter;

22 “(ii) an assurance that the State will
23 implement enrollment and eligibility poli-
24 cies that support the fixed costs of pro-
25 viding child care services by delinking pro-

1 vider payment rates from an eligible child's
2 occasional absences due to holidays or un-
3 foreseen circumstances such as illness; and

4 “(iii) a description of how the State
5 will use direct contracts or grants to sup-
6 port the stability of child care providers in
7 the State, and to increase the supply and
8 improve the quality of child care services in
9 the State as required under paragraph
10 (2)(M).

11 “(D) ENTITIES AND INDIVIDUALS CON-
12 SULTED.—The entities and individuals referred
13 to in subparagraph (B)(i) are the State Advi-
14 sory Council on Early Childhood Education and
15 Care designated or established in section
16 642B(b)(1)(A)(i) of the Head Start Act (42
17 U.S.C. 9837b(b)(1)(A)(i)) (including State
18 Head Start collaboration office directors), ad-
19 ministrators of local child care programs and
20 Head Start programs, organizations rep-
21 resenting child care directors, teachers, and
22 other staff, local child care resource and refer-
23 ral agencies, organizations representing parents
24 of children with disabilities and parents of in-
25 fants and toddlers with disabilities, the State

interagency coordinating council established under section 641 of the Individuals with Disabilities Education Act (20 U.S.C. 1441), the State advisory panel established under section 612(a)(21) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(21)), and other appropriate entities.

“(5) SLIDING SCALE FOR COPAYMENTS.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B)(i) and (C), the State plan shall provide an assurance that the State will require—

“(i) a family receiving assistance under this subchapter to pay a full copayment referred to in subparagraph (B) (or, for a family receiving part-time care, a reduced copayment that is the proportionate amount of the full copayment); or

“(ii) another entity to pay the copayment (full or reduced) on behalf of the family, voluntarily or in accordance with Federal law.

“(B) SLIDING SCALE.—Such full copayment shall be based on a sliding scale that provides that, for a family with a family income—

1 “(i) of not more than 75 percent of
2 State median income for a family of the
3 same size, the family shall not pay a co-
4 payment, toward the cost of the child care
5 involved for all eligible children in the fam-
6 ily;

7 “(ii) of more than 75 percent but not
8 more than 100 percent of State median in-
9 come for a family of the same size, the co-
10 payment shall be more than 0 but not
11 more than 2 percent of that family income,
12 toward such cost for all such children;

13 “(iii) of more than 100 percent but
14 not more than 125 percent of State me-
15 dian income for a family of the same size,
16 the copayment shall be more than 2 but
17 not more than 4 percent of that family in-
18 come, toward such cost for all such chil-
19 dren; and

20 “(iv) of more than 125 percent but
21 not more than 150 percent of State me-
22 dian income for a family of the same size,
23 the copayment shall be more than 4 but
24 not more than 7 percent of that family in-

1 come, toward such cost for all such chil-
2 dren.

3 “(C) SPECIAL RULE.—The State shall not
4 require a family with a child that is eligible for
5 a Head Start program under the Head Start
6 Act (42 U.S.C. 9831 et seq.) to pay a copay-
7 ment under this paragraph for any eligible child
8 in the family.

9 “(D) INFORMATION.—The State shall
10 make publicly available and accessible, including
11 on the State’s internet website, the income
12 ranges in dollar amounts that correspond to
13 each of the income categories described in
14 clauses (ii), (iii), and (iv) of subparagraph (B)
15 and the copayments required from families in
16 each such category, by family size.”.

17 (b) REPORT.—Section 658E of the Child Care and
18 Development Block Grant Act of 1990 (42 U.S.C. 9858c)
19 is amended by adding at the end the following:

20 “(e) REPORT.—The lead agency shall submit to the
21 Secretary within 40 months after the date of submission
22 of the application described in subsection (a) a report out-
23 lining the process by which the lead agency developed or
24 revised the State’s systems for measuring the quality of
25 eligible child care providers who provide services for which

1 assistance is made available under this subchapter. The
 2 report shall include a discussion of the stakeholders, in-
 3 cluding early childhood education and development ex-
 4 perts, child care providers working in a variety of child
 5 care settings, families, and organizations representing
 6 child care directors, teachers, and other staff, from whom
 7 the lead agency sought input during this process as re-
 8 quired under subsection (c)(2)(W).”.

9 **SEC. 106. LIMITATIONS.**

10 Section 658F of the Child Care and Development
 11 Block Grant Act of 1990 (42 U.S.C. 9858d) is amended—

12 (1) by striking the section heading and insert-
 13 ing the following:

14 **“SEC. 658F. LIMITATIONS.”;**

15 (2) in subsection (a), by striking “or recipient
 16 of a child care certificate”; and

17 (3) in subsection (b)(1), by striking “section
 18 658O(c)(6)” and inserting “section 658O(b)(5)”.

19 **SEC. 107. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
 20 **CARE.**

21 Section 658G of the Child Care and Development
 22 Block Grant Act of 1990 (42 U.S.C. 9848e) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1), by striking “A
 25 State” and all that follows through “for activi-

ties” and inserting “A State that receives a payment under section 658J shall reserve and use the quality child care amount described in paragraph (2) for activities”;

(i) by adding “for all age groups of eligible children” before “, and is in alignment with”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2) QUALITY CHILD CARE AMOUNT.—Such State shall reserve and use—

“(A) during fiscal years 2022 through 2024, from the payment made to the State for a fiscal year, a quality child care amount equal to 50 percent of the State allotment under section 658O; and

“(B) during fiscal year 2025 and each subsequent fiscal year, from the total of the quarterly payments made to the State for a particular fiscal year, a quality child care amount equal to not more than 10 percent of the amount made available to the State to carry out this subchapter for that particular fiscal year (and shall reserve and use a proportional

1 amount, from each quarterly payment made to
 2 the State for that particular fiscal year).”; and
 3 (2) by striking subsection (b) and inserting the
 4 following:

5 “(b) ACTIVITIES.—

6 “(1) IN GENERAL.—Quality child care amounts
 7 reserved under subsection (a) shall be used to carry
 8 out activities that—

9 “(A) consist of—

10 “(i) the activities described in para-
 11 graph (2);

12 “(ii) the activities described in sub-
 13 paragraphs (A) and (B) of paragraph (3),
 14 and the activities described in paragraph
 15 (3)(C) under the circumstances described
 16 in that paragraph;

17 “(iii) the activities described in para-
 18 graph (4);

19 “(iv) at the election of the State, the
 20 activities described in paragraph (5);

21 “(v) one or more of the activities de-
 22 scribed in a subparagraph of paragraph
 23 (6);

24 “(vi) one or more of the activities de-
 25 scribed in paragraph (7);

1 “(vii) the activities described in para-
2 graph (8);

3 “(viii) one or more activities described
4 in a subparagraph of paragraph (9);

5 “(ix) at the election of the State, re-
6 modeling, renovation, or repair permitted
7 under section 658F(b); and

8 “(x) at the election of the State dur-
9 ing fiscal years 2022 through 2024, not-
10 withstanding section 658F(b), construc-
11 tion, permanent improvement, or major
12 renovation, with priority for funding for
13 such activities given to underserved com-
14 munities and underserved populations as
15 identified—

16 “(I) in the Statewide assessment
17 of the State’s needs under subsection
18 (a);

19 “(II) in the child care equity re-
20 view described in section
21 658E(c)(2)(Z); and

22 “(III) as applicable, in the state-
23 wide needs assessment conducted
24 under section 9212(f) of the Every

1 Student Succeeds Act (20 U.S.C.
2 9831 note); and

3 “(B) will improve the quality of child care
4 services provided in the State.

5 “(2) SUPPLY BUILDING ACTIVITIES.—

6 “(A) IN GENERAL.—The State shall use
7 quality child care amounts to implement activi-
8 ties that increase the supply of eligible child
9 care providers, and the number of available
10 slots in the State for child care assisted under
11 this subchapter, in underserved communities
12 and for underserved populations identified as
13 described in paragraph (1)(A)(x).

14 “(B) ADMINISTRATION.—Assistance pro-
15 vided under this paragraph may be adminis-
16 tered by local or regional child care resource
17 and referral organizations, community develop-
18 ment financial institutions, or other entities
19 with which the State has contracted in the past.

20 “(C) ACTIVITIES.—Activities funded under
21 this paragraph shall include each of the fol-
22 lowing:

23 “(i) STARTUP GRANTS AND SUPPLY
24 EXPANSION GRANTS.—The State shall
25 make grants to child care providers, with

1 priority for providers seeking to provide
2 child care in underserved communities and
3 for underserved populations described in
4 subparagraph (A), to support providers in
5 paying for startup costs and assist pro-
6 viders in meeting health and safety re-
7 quirements and achieving licensure, which
8 may include conducting remodeling, ren-
9 ovation, or repair permitted under section
10 658F(b). For fiscal years 2022 through
11 2024, such grants may also be used for
12 construction, permanent improvement, or
13 major renovation, as allowable under para-
14 graph (1)(A)(x), of a building or facility.
15 The State shall ensure that all providers
16 that receive funding provided under this
17 paragraph participate, in a timely manner,
18 the State’s tiered and transparent system
19 for measuring the quality of eligible child
20 care providers described in section
21 658E(c)(2)(W)(i).

22 “(ii) TECHNICAL ASSISTANCE.—The
23 State shall provide technical assistance to
24 increase the supply of eligible child care
25 providers in the State, such as providing

1 business startup support, conducting out-
2 reach to recruit new child care providers,
3 providing support to enable providers to
4 achieve licensure (including providing sup-
5 port, for child care providers operating le-
6 gally without a child care license, to obtain
7 such license), offering orientations for new
8 child care providers, and supporting the
9 development of shared services models for
10 child care programs.

11 “(3) QUALITY IMPROVEMENT GRANTS.—A
12 State shall use quality child care amounts to im-
13 prove the quality of child care providers across the
14 State that are eligible for assistance under this sub-
15 chapter and to support child care providers in meet-
16 ing the requirements for the highest tier of the sys-
17 tem described in section 658E(c)(2)(W)(i), including
18 by—

19 “(A)(i) making quality startup grants (in-
20 cluding, in the case of providers of family,
21 friend, or neighbor care, grants for activities
22 described in paragraph (8)(H)) to child care
23 providers that are not yet participating in the
24 tiered and transparent system for measuring
25 the quality of child care providers described in

1 section 658E(c)(2)(W)(i), in a fiscal year, and
 2 that commit to improve quality so that the pro-
 3 vider involved can participate in that system in
 4 the subsequent fiscal year; and

5 “(ii) in making those grants, by giving pri-
 6 ority for funding to underserved communities
 7 and for underserved populations identified as
 8 described in paragraph (1)(A)(x);

9 “(B) making quality improvement grants
 10 to child care providers that meet the require-
 11 ments for a tier of the State tiered and trans-
 12 parent system for measuring the quality of
 13 child care providers described in section
 14 658E(c)(2)(W)(i), in a fiscal year, and that
 15 commit to improve quality so that the provider
 16 involved can meet the requirements for a higher
 17 tier in the subsequent 3 fiscal years; and

18 “(C) renewing a grant described in sub-
 19 paragraph (A) or (B) at the end of the applica-
 20 ble grant period, for a provider that dem-
 21 onstrates sufficient progress in meeting the
 22 goals for the grant.

23 “(4) ACTIVITIES TO ASSIST HOMELESS CHIL-
 24 DREN AND CHILDREN IN FOSTER CARE.—A State
 25 shall use quality child care amounts for activities

1 that improve access to child care services for home-
 2 less children and children in foster care, including—

3 “(A) the use of procedures to permit im-
 4 mediate enrollment of homeless children and
 5 children in foster care while required docu-
 6 mentation is obtained;

7 “(B) training and technical assistance on
 8 identifying and serving homeless children and
 9 their families, and children in foster care and
 10 their foster families; and

11 “(C) specific outreach to homeless families
 12 and foster families.

13 “(5) CHILD CARE RESOURCE AND REFERRAL
 14 SYSTEM.—

15 “(A) IN GENERAL.—A State may use qual-
 16 ity child care amounts to establish or support
 17 a system of local or regional child care resource
 18 and referral organizations that is coordinated,
 19 to the extent determined appropriate by the
 20 State, by a statewide public or private non-
 21 profit, community-based or regionally based,
 22 lead child care resource and referral organiza-
 23 tion.

24 “(B) LOCAL OR REGIONAL ORGANIZA-
 25 TIONS.—The local or regional child care re-

1 source and referral organizations supported as
2 described in subparagraph (A) shall—

3 “(i) provide parents in the State with
4 consumer education information referred
5 to in section 658E(c)(2)(E) (except as oth-
6 erwise provided in that section), concerning
7 the full range of child care and early child-
8 hood education options (including faith-
9 based child care providers, Head Start
10 agencies (including Early Head Start
11 agencies), and community-based child care
12 providers), analyzed by child care provider,
13 including child care provided during non-
14 traditional hours, child care provided
15 through dual language child care pro-
16 grams, child care provided through emer-
17 gency child care centers, and inclusive
18 child care options for children with disabil-
19 ities and infants and toddlers with disabil-
20 ities, in their political subdivisions or re-
21 gions in formats and languages accessible
22 to all parents in such political subdivisions
23 or regions, including parents of dual lan-
24 guage learners;

1 “(ii) to the extent practicable, work
2 directly with families who receive assist-
3 ance under this subchapter to offer the
4 families support and assistance, using in-
5 formation described in clause (i) in con-
6 junction with available data on parent sat-
7 isfaction and provider training and experi-
8 ence, to make an informed decision about
9 which child care providers they will use, in
10 an effort to ensure that the families are
11 enrolling their children in the most appro-
12 priate child care setting to suit their needs
13 and one that provides high-quality and in-
14 clusive care, which may include providing
15 information and data through family navi-
16 gators who can help parents make such de-
17 cisions;

18 “(iii) collect data and provide infor-
19 mation on the coordination of services and
20 supports, including services provided under
21 section 619 and part C of the Individuals
22 with Disabilities Education Act (20 U.S.C.
23 1419, 1431 et seq.), for children with dis-
24 abilities and infants and toddlers with dis-
25 abilities, and services provided under the

1 Elementary and Secondary Education Act
2 of 1965 (20 U.S.C. 6301 et seq.);

3 “(iv) collect data (and, where appro-
4 priate, enable real time collection of data)
5 and provide information on the supply of
6 and demand for child care services, by age
7 of child to the extent practicable, in polit-
8 ical subdivisions or regions within the
9 State and submit such information to the
10 State;

11 “(v) to the extent practicable, make
12 data and information described in sub-
13 clause (iv) available to parents through on-
14 line referral registry services provided by
15 the child care resource and referral organi-
16 zations or other nonprofit entities in the
17 State;

18 “(vi) work to establish partnerships
19 with public agencies and private entities,
20 including faith-based child care providers,
21 Head Start agencies (including Early Head
22 Start agencies), and community-based
23 child care providers, and incorporate the
24 effective use of data and technology to in-

crease the supply and quality of child care services in the State;

“(vii) as appropriate, coordinate their activities with the activities of the State lead agency and local agencies that administer funds made available in accordance with this subchapter; and

“(viii) work to establish partnerships with the parent resource centers established under section 672 of the Individuals with Disabilities Education Act (20 U.S.C. 1472) to provide information about inclusive child care options for children with disabilities and infants and toddlers with disabilities, including children with more significant disabilities and children with complex medical needs.

“(6) TRAINING AND PROFESSIONAL DEVELOPMENT.—A State shall use quality child care amounts for supporting training and professional development that is culturally and linguistically appropriate for the child care workforce, and individuals working in Head Start programs (including Early Head Start programs), through activities such as those included

1 under section 658E(c)(2)(G), in addition to at least
2 one activity consisting of—

3 “(A)(i) offering training, coaching, or pro-
4 fessional development opportunities for child
5 care providers that relate to the use of evi-
6 dence-based, developmentally appropriate and
7 age-appropriate strategies to promote the social,
8 emotional, physical, adaptive, communication,
9 and cognitive development of children, including
10 key programmatic strategies; and

11 “(ii) offering specialized training for child
12 care providers caring for those populations
13 prioritized in section 658E(c)(2)(Q), homeless
14 children, children in foster care, children who
15 are dual language learners, and children with
16 disabilities and infants and toddlers with dis-
17 abilities;

18 “(B) incorporating the effective use of data
19 to guide program improvement;

20 “(C) implementing effective behavior man-
21 agement strategies (and related training), in-
22 cluding implementing multitiered systems of
23 support such as support through positive behav-
24 ior interventions and supports, and trauma in-
25 formed care, that—

1 “(i) promote positive social and emo-
2 tional development;

3 “(ii) prevent and reduce challenging
4 behaviors, including by setting consistent
5 expectations for all students; and

6 “(iii) eliminate suspensions, expul-
7 sions, and aversive behavioral interven-
8 tions;

9 “(D) providing training and outreach on
10 engaging parents and families in culturally and
11 linguistically appropriate ways, including for
12 parents and families of dual language learners,
13 to expand their knowledge, skills, and capacity
14 to become meaningful partners in supporting
15 their children’s positive development;

16 “(E) providing training corresponding to
17 the nutritional and physical activity needs of
18 children to promote healthy development;

19 “(F) providing training or professional de-
20 velopment for child care providers regarding the
21 early neurological development of children;

22 “(G) connecting staff members of child
23 care providers with available Federal and State
24 financial aid, or other resources, that would as-

1 sist the staff members in pursuing relevant
2 postsecondary training;

3 “(H) creating or expanding a statewide
4 scholarship program for child care providers to
5 obtain credentials related to child care;

6 “(I) creating or expanding an apprentice-
7 ship program registered under the Act of Au-
8 gust 16, 1937 (commonly known as the ‘Na-
9 tional Apprenticeship Act’; 50 Stat. 664, chap-
10 ter 663; 29 U.S.C. 50 et seq.), for child care
11 providers in the early years of providing child
12 care;

13 “(J) providing training, scholarship oppor-
14 tunities, or apprenticeships for multilingual
15 adults in order to expand the supply of high-
16 quality, dual language child care programs;

17 “(K) supporting articulation agreements
18 between public institutions of higher education
19 that offer 2-year programs and public institu-
20 tions of higher education that offer 4-year pro-
21 grams, for the purposes of facilitating, for child
22 care providers or individuals seeking to become
23 such providers, the transfer of postsecondary
24 credits for coursework related to child care

1 from such institutions with 2-year programs to
2 such institutions with 4-year programs;

3 “(L) providing training and professional
4 development on child developmental milestones
5 and evidence-based developmental screening
6 practices that help identify infants, toddlers,
7 and children to be referred for evaluation con-
8 cerning eligibility for services under the Individ-
9 uals with Disabilities Education Act (20 U.S.C.
10 1400 et seq.);

11 “(M) undertaking efforts to improve the
12 diversity of staff of eligible providers, including
13 efforts to recruit a more diverse workforce;

14 “(N) providing training and professional
15 development related to the impact of trauma on
16 social-emotional development and to imple-
17 menting best practices in trauma-informed care;

18 “(O) providing access to trained early
19 childhood mental health consultants to help
20 child care providers and other program manage-
21 ment personnel implement mental health pro-
22 motion and prevention strategies; or

23 “(P) developing and providing professional
24 development on competencies for early child-
25 hood educators, including specialized com-

1 petencies for educators serving infants and tod-
2 dlers.

3 “(7) PROGRAMS AND SERVICES FOR INFANTS
4 AND TODDLERS.—A State shall use quality child
5 care amounts to promote and expand child care pro-
6 viders’ ability to provide developmentally appropriate
7 services for infants and toddlers through activities
8 that shall include at least one activity consisting
9 of—

10 “(A)(i) training and professional develop-
11 ment; and

12 “(ii) coaching and technical assistance on
13 this age group’s unique needs from statewide
14 networks of qualified infant-toddler specialists;

15 “(B) improving infant and toddler compo-
16 nents within the State’s tiered and transparent
17 system for measuring the quality of child care
18 providers described in section 658E(c)(2)(W)(i),
19 for child care providers for infants and toddlers,
20 or developing infant and toddler components in
21 a State’s child care licensing regulations or
22 early learning and development guidelines;

23 “(C) improving the ability of parents to ac-
24 cess transparent and easy to understand con-

1 sumer information about high-quality and inclu-
2 sive care for infants and toddlers;

3 “(D) providing supports to implement or
4 sustain partnerships with Early Head Start
5 agencies;

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

18 “(F) carrying out other activities to pro-
19 mote and expand child care providers’ ability to
20 provide developmentally appropriate services for
21 infants and toddlers.

22 “(8) INCLUSIVE CARE FOR CHILDREN WITH
23 DISABILITIES AND INFANTS AND TODDLERS WITH
24 DISABILITIES.—A State shall use quality child care
25 amounts for activities to improve the supply of eligi-

1 ble child care providers that provide high-quality and
 2 inclusive care for children with disabilities and in-
 3 fants and toddlers with disabilities through activi-
 4 ties, which shall include—

5 “(A) offering training, professional devel-
 6 opment, or coaching opportunities for child care
 7 providers that relate to the use of evidence-
 8 based, developmentally appropriate, and age-ap-
 9 propriate strategies in inclusive settings to pro-
 10 mote the social, emotional, physical, adaptive,
 11 communication, and cognitive development of
 12 children with disabilities and infants and tod-
 13 dlers with disabilities, and their peers;

14 “(B) improving the ability of parents to
 15 access transparent and easy-to-understand con-
 16 sumer information about high-quality and inclu-
 17 sive care for children with disabilities and in-
 18 fants and toddlers with disabilities;

19 “(C) promoting and expanding child care
 20 providers’ ability to provide developmentally ap-
 21 propriate services for infants and toddlers with
 22 disabilities through improved coordination of
 23 systems, services, and other activities with the
 24 providers and individuals who provide services
 25 or supports under the Individuals with Disabil-

1 ities Education Act (20 U.S.C. 1400 et seq.);
2 and

3 “(D) specific outreach to families with—

4 “(i) parents with disabilities (as de-
5 fined in section 3 of the Americans with
6 Disabilities Act of 1990 (42 U.S.C.
7 12102));

8 “(ii) children with disabilities; and

9 “(iii) infants and toddlers with dis-
10 abilities.

11 “(9) OTHER ACTIVITIES.—A State shall use
12 quality child care amounts for at least one activity
13 consisting of—

14 “(A) improving upon the development or
15 implementation of the early learning and devel-
16 opmental guidelines described in section
17 658E(c)(2)(T) by providing technical assistance
18 to eligible child care providers that enhances
19 the cognitive, physical, social, and emotional de-
20 velopment, including early childhood develop-
21 ment, of participating preschool and school-
22 aged children and supports their overall well-
23 being;

24 “(B) developing, implementing, or enhanc-
25 ing the State’s tiered and transparent system

1 for measuring the quality of child care pro-
2 viders, as described in section
3 658E(c)(2)(W)(i);

4 “(C) facilitating compliance with State re-
5 quirements for inspection, monitoring, training,
6 and health and safety, and with State licensing
7 standards;

8 “(D) evaluating and assessing the quality
9 and effectiveness of child care programs (taking
10 into account whether such programs also pro-
11 vide services funded under the Head Start Act)
12 and services offered in the State, including eval-
13 uating how such programs positively impact
14 children;

15 “(E) supporting child care providers in the
16 voluntary pursuit of accreditation by a national
17 accrediting body with demonstrated, valid, and
18 reliable program standards of high quality;

19 “(F) supporting State or local efforts to
20 develop or adopt high-quality program stand-
21 ards relating to health, mental health, social
22 and emotional development, nutrition, physical
23 activity, and physical development;

24 “(G) activities that improve the availability
25 of child care services, activities that improve ac-

1 cess to child care services, and any other activ-
2 ity that the State determines to be appropriate
3 to meet the purposes of this subchapter, with
4 priority being given for services (including giv-
5 ing priority access to services through providers
6 at the highest tier of the system described in
7 section 658E(c)(2)(W)(i)) to homeless children,
8 children in foster care, children of families with
9 very low family incomes (taking into consider-
10 ation family size), children who are dual lan-
11 guage learners, children with disabilities, and
12 infants and toddlers with disabilities;

13 “(H) supporting State or local efforts to
14 expand Early Head Start-Child Care Partner-
15 ships;

16 “(I) activities to improve the quality of
17 providers of family, friend, or neighbor care,
18 which may include—

19 “(i) establishing or expanding the op-
20 eration of community- or neighborhood-
21 based family, friend, or neighbor care net-
22 works, which may include networks that
23 support the implementation of shared serv-
24 ices models;

1 “(ii) offering education, training, busi-
2 ness development, apprenticeship, men-
3 toring, or leadership development opportu-
4 nities for the providers;

5 “(iii) conducting home visits and
6 coaching that provide one-on-one advice
7 and support;

8 “(iv) conducting play and learn ses-
9 sions or other types of peer networking;

10 “(v) facilitating participation in the
11 program carried out under this subchapter
12 or the child and adult care food program
13 established under section 17 of the Richard
14 B. Russell National School Lunch Act (42
15 U.S.C. 1766);

16 “(vi) assistance in achieving licensure,
17 if the provider wants to become licensed;

18 “(vii) recruiting providers of family,
19 friend, or neighbor care to build the supply
20 of high-quality and inclusive care by such
21 providers;

22 “(viii) recruiting providers of family,
23 friend, or neighbor care to become eligible
24 child care providers providing child care
25 services under this subchapter, to build the

1 supply of high-quality and inclusive care by
2 providers of family, friend, or neighbor
3 care; and

4 “(ix) providing training on effective
5 instruction for children of diverse cultural
6 backgrounds, children with disabilities, in-
7 fants and toddlers with disabilities, and
8 children who are dual language learners;

9 “(J)(i) supporting eligible child care pro-
10 viders to eliminate suspensions, expulsions, and
11 aversive behavioral interventions, including
12 through adaptations and interventions by spe-
13 cial educators, mental health consultants, and
14 other community resources, such as behavior
15 coaches, psychologists, and other appropriate
16 specialists; and

17 “(ii) promoting multitiered systems of sup-
18 port such as positive behavioral interventions
19 and supports and trauma informed care that
20 promote positive social and emotional develop-
21 ment and reduce challenging behaviors;

22 “(K) activities to improve the supply and
23 quality of child care programs and services to
24 provide high-quality and inclusive care for
25 school-age children, which may include—

1 “(i) establishing or expanding high-
2 quality and inclusive school-age child care
3 standards and a system of supports for
4 such care that align with best practices for
5 before- and after-school care and summer
6 care;

7 “(ii) enhancing professional develop-
8 ment and technical assistance opportuni-
9 ties for providers of school-age care; and

10 “(iii) improving the ability of parents
11 to access transparent and easy to under-
12 stand consumer information about high-
13 quality and inclusive school-age care;

14 “(L) establishing or expanding high-quality
15 and inclusive community- or neighborhood-
16 based family and child development centers,
17 which shall serve as resources for child care
18 providers in order to improve the quality of
19 early childhood services provided to children
20 from low-income families and to help eligible
21 child care providers improve their capacity to
22 offer high-quality and inclusive, age-appropriate
23 care;

24 “(M) activities that promote simple and
25 streamlined enrollment, in high-quality and in-

1 exclusive child care services, including child care
2 services provided under this subchapter, that is
3 accessible to diverse types of families, which
4 may include activities that establish or improve
5 systems that also allow families to enroll in
6 early childhood care and education services or
7 public assistance programs available in the
8 State, such as those listed in subparagraphs
9 (E)(i)(IV) and (O) of section 658E(c)(2),
10 through use of data sharing agreements, identi-
11 fication of eligible families, and use of a single
12 or common application that is available on a
13 State website;

14 “(N) establishing or expanding the oper-
15 ation of community- or neighborhood-based
16 family child care networks, which may include
17 networks that support the implementation of
18 shared services models described in subpara-
19 graph (O);

20 “(O) developing or expanding the use of
21 shared services models, including through
22 shared services alliances administered by non-
23 profit organizations or child care resource and
24 referral organizations, to reduce the operational
25 burden on child care providers through the co-

ordination of services such as operations and business support, information technology services, accounting services, human resources services, training and professional development, enrollment services, and quality assessment services;

“(P) establishing, maintaining, improving, or expanding a system, such as a substitute pool system, to support child care providers in a variety of child care settings in finding qualified, temporary staff when needed and to strengthen the pipeline for early childhood educators; or

“(Q) supporting eligible child care providers in providing accessible comprehensive services for children and their families, including—

“(i) screenings of vision, hearing, health (including mental health), dental health, and development (including early literacy and math skill development), which shall be coordinated with the activities carried out through the comprehensive child find system under the Individuals with

Disabilities Education Act (20 U.S.C.
1400 et seq.);

“(ii) consultation with child care
health consultants to assess, plan, imple-
ment, and evaluate strategies to achieve
high-quality safe and healthy child care en-
vironments that are trauma-informed
strategies and support the mental and
physical health of children;

“(iii)(I) family engagement opportuni-
ties that take into account the language
spoken in the child’s home, such as parent
conferences (with opportunities for parents
to provide input about the child’s develop-
ment); and

“(II) support services, such as parent
education, home visiting, and family lit-
eracy services;

“(iv)(I) nutrition services, including
provision of nutritious meals and snack op-
tions aligned with the requirements in the
most recent guidelines promulgated by the
Secretary of Agriculture for the Child and
Adult Care Food Program authorized
under section 17 of the Richard B. Russell

1 National School Lunch Act (42 U.S.C.
2 1766); and

3 “(II) regular, age-appropriate, nutri-
4 tion education for children and their fami-
5 lies;

6 “(v) programs, carried out in coordi-
7 nation with local educational agencies and
8 entities providing services and supports au-
9 thorized under part B and part C of the
10 Individuals with Disabilities Education Act
11 (20 U.S.C. 1411 et seq.; 1431 et seq.), to
12 ensure the full participation of infants and
13 toddlers with disabilities and children with
14 disabilities in high-quality and inclusive
15 child care settings;

16 “(vi) physical activity programs
17 that—

18 “(I) are aligned with evidence-
19 based guidelines, such as those rec-
20 ommended by the Health and Medi-
21 cine Division of the National Acad-
22 emies of Sciences, Engineering, and
23 Medicine; and

24 “(II) take into account and ac-
25 commodate the needs of children with

1 disabilities and infants and toddlers
 2 with disabilities; or
 3 “(vii) on-site service coordination, to
 4 the maximum extent feasible.”.

5 **SEC. 108. ADMINISTRATION AND ENFORCEMENT.**

6 Section 658I of the Child Care and Development
 7 Block Grant Act of 1990 (42 U.S.C. 9858g) is amended—

8 (1) in subsection (a)—

9 (A) by striking paragraph (2) and insert-
 10 ing the following:

11 “(2) collect, publish, and make available to the
 12 public a listing of State child care standards, includ-
 13 ing licensing standards, health and safety standards,
 14 and the standards described in clauses (i) and (ii) of
 15 section 658E(c)(2)(W), at least once every 3 years;”;

16 (B) in paragraph (3), by inserting “and”
 17 after the semicolon;

18 (C) in paragraph (4), by striking “this
 19 subchapter;” and inserting “this subchapter,
 20 which shall include information about evidence-
 21 based curricula that are developmentally appro-
 22 priate and support development across the es-
 23 sential domains of early childhood develop-
 24 ment.”; and

25 (D) by striking paragraph (5);

1 (2) in subsection (b)(2)(A), in the matter fol-
 2 lowing clause (ii), by striking “State allotment” and
 3 inserting “State payments”; and
 4 (3) by striking subsection (c).

5 **SEC. 109. STATE QUARTERLY PAYMENTS.**

6 (a) IN GENERAL.—Section 658J of the Child Care
 7 and Development Block Grant Act of 1990 (42 U.S.C.
 8 9858h) is amended to read as follows:

9 **“SEC. 658J. PAYMENTS TO STATES.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) FMAP.—The term ‘FMAP’ has the mean-
 12 ing given the term in the first sentence of section
 13 1905(b) of the Social Security Act (42 U.S.C.
 14 1396d(b)).

15 “(2) INFANT OR TODDLER.—The term ‘infant
 16 or toddler’ means a child under age 3.

17 “(b) PAYMENTS TO STATES.—

18 “(1) IN GENERAL.—Except as provided in para-
 19 graphs (2) and (3), the Secretary shall pay to each
 20 State with an application approved under section
 21 658E an amount for each quarter equal to the
 22 FMAP of expenditures in the quarter—

23 “(A) for child care assistance under the
 24 plan for eligible children, other than such chil-
 25 dren who are infants or toddlers; and

1 “(B) to carry out activities under section
2 658G, subject to the limit specified in section
3 658G(a)(2).

4 “(2) CHILD CARE ASSISTANCE FOR INFANTS OR
5 TODDLERS.—The Secretary shall pay to each State
6 with such an approved application an amount for
7 each quarter equal to 90 percent of expenditures in
8 the quarter for child care assistance under the plan
9 for eligible children who are infants or toddlers.

10 “(3) ADMINISTRATION.—The Secretary shall
11 pay to each State with such an approved application
12 an amount for each quarter equal to 50 percent of
13 expenditures in the quarter for the costs of adminis-
14 tration incurred by the State in carrying out sections
15 658H and 658K, and other reasonable costs in-
16 curred by the State to administer the plan.

17 “(c) ADVANCE PAYMENT; RETROSPECTIVE ADJUST-
18 MENT.—The Secretary may make payments under this
19 section for each quarter on the basis of advance estimates
20 of expenditures submitted by the State and such other in-
21 vestigation as the Secretary may find necessary, and may
22 reduce or increase the payments as necessary to adjust
23 for any overpayment or underpayment for previous quar-
24 ters.

1 “(d) FLEXIBILITY IN SUBMITTAL OF CLAIMS.—
 2 Nothing in this section shall be construed as preventing
 3 a State from claiming as expenditures in a quarter ex-
 4 penditures that were incurred in a previous quarter.

5 “(e) STATE ENTITLEMENT.—This subchapter rep-
 6 resents the obligation of the Federal Government to pro-
 7 vide, to States with approved applications under section
 8 658E, for payments under this section from amounts pro-
 9 vided under section 658B(a). Those States are entitled to
 10 payments under this section.”.

11 (b) EFFECTIVE DATE.—The amendments made by
 12 this section take effect on October 1, 2025.

13 **SEC. 110. REPORTING.**

14 Section 658K(a) of the Child Care and Development
 15 Block Grant Act of 1990 (42 U.S.C. 9858i(a)) is amend-
 16 ed—

17 (1) in paragraph (1)(B)—

18 (A) in clause (x), by striking “and”;

19 (B) by transferring clause (xi) so as to ap-
 20 pear after clause (x);

21 (C) in clause (xi), by inserting “and” after
 22 the semicolon; and

23 (D) inserting after clause (xi) the fol-
 24 lowing:

1 “(xii) whether the children receiving
 2 assistance under this subchapter are either
 3 children with disabilities or infants and
 4 toddlers with disabilities;”;

5 (2) in paragraph (2)—

6 (A) in subparagraph (D), by striking
 7 “and” at the end;

8 (B) in subparagraph (E), by adding “and”
 9 after the semicolon;

10 (C) by striking the flush text between sub-
 11 paragraphs (E) and (F);

12 (D) in subparagraph (F), by striking the
 13 period and inserting a comma; and

14 (E) by adding at the end the following:

15 “during the period for which such report is required
 16 to be submitted.”; and

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

18 “(3) CHILD CARE EQUITY REVIEW.—

19 “(A) IN GENERAL.—Each lead agency that
 20 receives funds to carry out this subchapter shall
 21 complete every 3 years, prior to submitting a 3-
 22 year State plan under section 658E, a child
 23 care equity review, with families (including fam-
 24 ilies of children with disabilities and families of
 25 infants and toddlers with disabilities), child care

1 providers (including child care directors, teach-
 2 ers, and staff of the providers), and community
 3 leaders engaged in the review, to inform the
 4 distribution of funds under section 658G.

5 “(B) CONTENTS OF REVIEW.—Each child
 6 care equity review shall include data on each of
 7 the following:

8 “(i) The percentage of children receiv-
 9 ing child care services funded under this
 10 subchapter, disaggregated by—

11 “(I) race and ethnicity;

12 “(II) family income;

13 “(III) age;

14 “(IV) status as an infant or tod-
 15 dler with a disability or child with a
 16 disability;

17 “(V) status as a homeless child;

18 “(VI) status as a child in foster
 19 care; and

20 “(VII) status (to the extent the
 21 status is known) as a dual language
 22 learner.

23 “(ii) The geographic location of child
 24 care providers funded under this sub-
 25 chapter.

“(iii) The quality features of child care services provided by providers funded under this subchapter, compared to the quality features of child care services provided by other child care providers, to the extent possible, including data on quality features such as—

“(I) amount of staff wages;

“(II) length of staff retention;

“(III) presence of coaching and professional development activities;

“(IV) number of provider closures;

“(V) a measure of parent satisfaction; and

“(VI) presence of provision of information in languages other than English.

“(iv) The quality features of child care services received by children and funded under this subchapter, disaggregated (unless the disaggregation involved would reveal personally identifiable information about an individual provider or child) by the children’s—

- 1 “(I) race and ethnicity;
2 “(II) family income;
3 “(III) age;
4 “(IV) status as an infant or tod-
5 dler with a disability or child with a
6 disability;
7 “(V) status as a homeless child;
8 “(VI) status as a child in foster
9 care; and
10 “(VII) status (to the extent the
11 status is known) as a dual language
12 learner.

13 “(v) Whether there are inequities in
14 how quality features are distributed among
15 children served under this subchapter.

16 “(C) REPORT.—Not later than 6 months
17 after completing the review required under sub-
18 paragraph (A), the lead agency shall prepare
19 and submit to the Secretary a report, in such
20 manner as the Secretary shall require, that in-
21 cludes the data described in subparagraph (B)
22 and a summary of the State’s progress towards
23 improving equitable access to high-quality inclu-
24 sive child care for children in the State. Such

1 report shall be made publicly available on the
2 internet website of the lead agency.

3 “(D) FUNDING.—In using State adminis-
4 tration funds made available under section
5 658J(b)(3) to carry out the child care equity
6 review under this paragraph, a State may use
7 the funds to complete community engagement
8 activities related to the review.”.

9 **SEC. 111. PRIORITY; WEBSITE.**

10 Section 658L of the Child Care and Development
11 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—

12 (1) in subsection (a)—

13 (A) in the first sentence, by striking
14 “Committee on Education and the Workforce”
15 and inserting “Committee on Education and
16 Labor”; and

17 (B) in the third sentence, by striking
18 “658E(c)(3)(B)” and inserting “section
19 658G(b)(9)(G)”; and

20 (2) in subsection (b)(2)(B)—

21 (A) in clause (ii), by striking “a Quality
22 Rating and Improvement System or” and in-
23 serting “a tiered and transparent system for
24 measuring the quality of child care providers
25 described in section 658E(c)(2)(W)(i) and”;

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

3 (C) in clause (v), by striking the period
4 and inserting “; and”; and

5 (D) inserting at the end the following:

6 “(vi) information about—

7 (I) high-quality and inclusive
8 care for children with disabilities and
9 infants and toddlers with disabilities,
10 including child care with early inter-
11 vention services under part C of the
12 Individuals with Disabilities Edu-
13 cation Act (20 U.S.C. 1431 et seq.)
14 for infants and toddlers with disabil-
15 ities and their families, and child care
16 with services and supports under part
17 B of the Individuals with Disabilities
18 Education Act (20 U.S.C. 1431 et
19 seq.) for children with disabilities; and

20 (II) other Federal, State, or
21 local programs that may support in-
22 clusive child care for infants and tod-
23 dlers, or children, referred to in sub-
24 clause (I).”.

1 **SEC. 112. NONDISCRIMINATION.**

2 Section 658N of the Child Care and Development
3 Block Grant Act of 1990 (42 U.S.C. 9858l) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)(A), by striking “this
6 section” and inserting “this subsection”;

7 (B) by striking paragraph (2);

8 (C) by redesignating paragraphs (3) and
9 (4) as paragraphs (2) and (3), respectively; and

10 (D) in paragraph (3)—

11 (i) in the paragraph heading, by strik-
12 ing “AND ADMISSION”;

13 (ii) by striking “(1)(B), (2), and (3)”
14 and inserting “(1)(B) and (2)”;

15 (iii) by striking “and admissions”;

16 and

17 (iv) by striking “or admissions”;

18 (2) in subsection (b)—

19 (A) in the subsection heading, by striking
20 “STATE LAW” and inserting “OTHER LAWS”;

21 (B) by striking “Nothing” and inserting
22 the following:

23 “(1) EXPENDITURES.—Nothing”; and

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

25 “(2) RIGHTS, REMEDIES, PROCEDURES, OR
26 STANDARDS.—Nothing in this subchapter shall be

1 construed to invalidate or limit rights, remedies, pro-
 2 cedures, or legal standards available to victims of
 3 discrimination in employment or in provision of pro-
 4 grams and activities under any other Federal law or
 5 law of a State or political subdivision of a State, in-
 6 cluding the Civil Rights Act of 1964 (42 U.S.C.
 7 2000a et seq.), title IX of the Education Amend-
 8 ments of 1972 (20 U.S.C. 1681 et seq.), section 504
 9 or 505 of the Rehabilitation Act of 1973 (29 U.S.C.
 10 794, 794a), or the Americans with Disabilities Act
 11 of 1990 (42 U.S.C. 12101 et seq.). The obligations
 12 imposed by this subchapter are in addition to those
 13 imposed by the Civil Rights Act of 1964 (42 U.S.C.
 14 2000a et seq.), title IX of the Education Amend-
 15 ments of 1972 (20 U.S.C. 1681 et seq.), section 504
 16 of the Rehabilitation Act of 1973 (29 U.S.C. 794),
 17 and the Americans with Disabilities Act of 1990 (42
 18 U.S.C. 12101 et seq.).”; and

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

20 “(c) NONDISCRIMINATION IN PROGRAMS AND AC-
 21 TIVITIES.—

22 “(1) IN GENERAL.—Except as described in
 23 paragraph (2), no person in the United States shall,
 24 on the basis of actual or perceived race, color, reli-
 25 gion, national origin, sex (including sexual orienta-

1 tion and gender identity), or disability, be excluded
 2 from participation in, be denied the benefits of, or
 3 be subjected to discrimination under any program or
 4 activity funded in whole or in part, with funds made
 5 available under this subchapter or with amounts ap-
 6 propriated for grants, contracts, or certificates ad-
 7 ministered with such funds.

8 “(2) PREFERENCE IN ENROLLMENT.—If assist-
 9 ance provided under this subchapter, and any other
 10 Federal or State program, amounts to less than 80
 11 percent of the operating budget of a child care pro-
 12 vider that receives such assistance, a child care pro-
 13 vider may select children for child care slots that are
 14 not funded directly with assistance provided under
 15 this subchapter because such children or their family
 16 members participate on a regular basis in other ac-
 17 tivities of the organization that owns or operates
 18 such provider.”.

19 **SEC. 113. INDIAN TRIBES AND NATIONAL ACTIVITIES.**

20 (a) IN GENERAL.—Section 658O of the Child Care
 21 and Development Block Grant Act of 1990 (42 U.S.C.
 22 9858m) is amended—

23 (1) by striking the heading and inserting the
 24 following:

1 **“SEC. 658O. INDIAN TRIBES, TERRITORIES, AND NATIONAL**
 2 **ACTIVITIES.”;**

3 (2) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) by striking “not to exceed one half
 6 of 1 percent of the amount appropriated
 7 under this subchapter” and inserting “a
 8 portion of the amount appropriated under
 9 section 658B(b)”; and

10 (ii) by striking “to be allotted” and all
 11 that follows and inserting the following:
 12 “to be allotted by the Secretary—

13 “(A) in accordance with the respective
 14 needs of those territories; and

15 “(B) taking into consideration—

16 “(i) the population of eligible children,
 17 and the population of eligible children from
 18 low-income families, to be served by the
 19 territory involved; and

20 “(ii) the cost of child care in the terri-
 21 tory.”;

22 (B) in paragraph (2)—

23 (i) by striking “(2) INDIANS TRIBES”
 24 and all that follows through “658B in”
 25 and inserting “(2) INDIAN TRIBES.—The
 26 Secretary shall reserve the remainder of

1 the amount appropriated under section
2 658B(b) in”;

3 (ii) by striking “subsection (c)” and
4 inserting “subsection (b)”;

5 (iii) by striking subparagraph (B);

6 (C) in paragraph (3), by striking “reserve
7 up to \$1,500,000 of the amount appropriated
8 under this subchapter” and inserting “reserve
9 and use such sums as the Secretary may deter-
10 mine to be necessary of the amount appro-
11 priated under section 658B(a)”;

12 (D) in paragraph (4), by striking “reserve
13 up to 1/2 of 1 percent of the amount appro-
14 priated under this subchapter” and inserting
15 “reserve and use such sums as the Secretary
16 may determine to be necessary of the amount
17 appropriated under section 658B(a)”;

18 (E) in paragraph (5), by striking “reserve
19 1/2 of 1 percent of the amount appropriated
20 under this subchapter” and inserting “reserve
21 and use such sums as the Secretary may deter-
22 mine to be necessary of the amount appro-
23 priated under section 658B(a)”;

24 (3) by striking subsection (b);

25 (4) in subsection (c)—

1 (A) in paragraph (3)—

2 (i) in subparagraph (A), by striking
3 “and” at the end;

4 (ii) in subparagraph (B), by striking
5 the period and inserting “; and”; and

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

8 “(C)(i) the population of Indian or Native
9 Hawaiian eligible children, and the population
10 of Indian or Native Hawaiian eligible children
11 from low-income families, to be served by the
12 Indian tribe or tribal organization;

13 “(ii) the cost of child care in the area to
14 be served by the tribe or organization; and

15 “(iii) whether awarding a grant or contract
16 to the tribe or organization will increase the
17 number of programs that reach standards de-
18 scribed in subsection (a)(1)(B)(iii);”;

19 (B) by striking paragraph (4); and

20 (C) by redesignating paragraphs (5) and
21 (6) as paragraphs (4) and (5), respectively;

22 (5) by redesignating subsection (c) as sub-
23 section (b);

24 (6) by striking subsection (d);

25 (7) in subsection (e)—

1 (A) by striking paragraphs (1) through
2 (3);

3 (B) by striking “(e) REALLOTMENTS.—”
4 and all that follows through “Any” and insert-
5 ing “(e) REALLOTMENTS.—Any”; and

6 (C) by striking “subsection (c)” each place
7 it appears and inserting “subsection (b)”; and
8 (8) by redesignating subsections (e) and (f) as
9 subsections (c) and (d), respectively.

10 (b) EFFECTIVE DATE.—This section takes effect on
11 October 1, 2025.

12 **SEC. 114. DEFINITIONS.**

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

15 (1) in paragraph (2)—

16 (A) by inserting “child care provider on be-
17 half of a” before “parent”; and

18 (B) by striking “who may use such certifi-
19 cate only as payment”;

20 (2) in paragraph (3)—

21 (A) by striking subparagraph (B); and

22 (B) by redesignating subparagraphs (C)
23 and (D) as subparagraphs (B) and (C), respec-
24 tively;

25 (3) in paragraph (4)—

1 (A) in subparagraph (B), by striking “85
 2 percent” and inserting “150 percent (100 per-
 3 cent for fiscal year 2022, 115 percent for fiscal
 4 year 2023, and 130 percent for fiscal year
 5 2024)”; and

6 (B) by striking subparagraph (C) and in-
 7 serting the following:

8 “(C) who—

9 “(i) resides with a parent or parents
 10 who are participating in an eligible activ-
 11 ity;

12 “(ii) is receiving, or needs to receive,
 13 protective services and resides with a par-
 14 ent or parents not described in clause (i),
 15 which shall include homeless children, chil-
 16 dren in foster care, and children who are
 17 in contact with child protective services; or

18 “(iii) resides with a parent or parents
 19 who are more than 65 years of age.”; and

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

21 “(16) ELIGIBLE ACTIVITY.—In paragraph (4),
 22 the term ‘eligible activity’ shall include, at minimum,
 23 activities consisting of—

24 “(A) full-time or part-time employment, in-
 25 cluding self-employment;

1 “(B) job search activities;

2 “(C) job training;

3 “(D) secondary, postsecondary, or adult
4 education, such as education through a pro-
5 gram of high school classes, a course of study
6 at an institution of higher education, classes to-
7 ward an equivalent of a high school diploma
8 recognized by State law, or English as a Second
9 Language classes;

10 “(E) health treatment (including mental
11 health and substance use treatment) for a con-
12 dition that prevents the individual from partici-
13 pating in other eligible activities;

14 “(F) activities to prevent child abuse and
15 neglect, or family violence prevention or inter-
16 vention activities;

17 “(G) employment and training activities
18 under the supplemental nutrition assistance
19 program established under the Food and Nutri-
20 tion Act of 2008 (7 U.S.C. 2011 et seq.);

21 “(H) work activities under the program of
22 block grants to States for temporary assistance
23 for needy families under part A of title IV of
24 the Social Security Act (42 U.S.C. 601 et seq.);
25 and

1 “(I) taking leave under the Family and
2 Medical Leave Act of 1993 (29 U.S.C. 2601 et
3 seq.) (or equivalent provisions for Federal em-
4 ployees), a State or local paid or unpaid family,
5 medical, or disability leave program, or a pro-
6 gram of employer-provided leave.

7 “(17) FOSTER CARE.—

8 “(A) IN GENERAL.—The term ‘foster care’
9 means 24-hour substitute care for a child
10 placed away from the child’s parents or guard-
11 ians and for whom the State or tribal agency
12 has placement and care responsibility. The term
13 includes care through a placement in a foster
14 family home, a foster home of a relative, a
15 group home, an emergency shelter, a residential
16 facility, a child care institution, or a pre-adop-
17 tive home.

18 “(B) RULE.—A child shall be considered
19 to be in foster care in accordance with subpara-
20 graph (A) regardless of—

21 “(i) whether the foster care facility is
22 licensed and payments are made by the
23 State, tribal, or local agency for the care of
24 the child;

1 “(ii) whether adoption subsidy pay-
 2 ments are being made prior to the finaliza-
 3 tion of an adoption; or

4 “(iii) whether there are Federal
 5 matching funds for any payments de-
 6 scribed in clause (i) or (ii) that are made.

7 “(18) HIGH-QUALITY AND INCLUSIVE CARE.—
 8 The term ‘high-quality and inclusive’, used with re-
 9 spect to care (including child care), means care pro-
 10 vided by an eligible child care provider—

11 “(A) that is at the highest tier of the
 12 State’s tiered and transparent system for meas-
 13 uring the quality of child care providers, under
 14 section 658E(c)(2)(W)(i);

15 “(B) for whom the percentage of children
 16 served by the provider who are children with
 17 disabilities and infants and toddlers with dis-
 18 abilities reflects the prevalence of children with
 19 disabilities and infants and toddlers with dis-
 20 abilities among children within the State; and

21 “(C) that provides care for children with
 22 disabilities and infants and toddlers with dis-
 23 abilities alongside children who are—

24 “(i) not infants and toddlers with dis-
 25 abilities; and

1 “(ii) not children with disabilities.

2 “(19) HOMELESS CHILD.—The term ‘homeless
3 child’ means an individual who is a homeless child
4 or youth under section 725 of the McKinney-Vento
5 Homeless Assistance Act (42 U.S.C. 11434).

6 “(20) INFANT OR TODDLER WITH A DIS-
7 ABILITY.—The term ‘infant or toddler with a dis-
8 ability’ has the meaning given the term in section
9 632 of the Individuals with Disabilities Education
10 Act (20 U.S.C. 1432).

11 “(21) KEY PROGRAMMATIC STRATEGIES.—The
12 term ‘key programmatic strategies’ means strategies
13 related to—

14 “(A) nutrition and physical activity;

15 “(B) recommended practices for age-ap-
16 propriate exposure to screen media; and

17 “(C) the integration and utilization of in-
18 structional methods to assist learning across
19 disciplines, including methods that use the arts,
20 language, literacy, mathematics, science, and
21 social studies.”.

22 **SEC. 115. PARENTAL RIGHTS AND RESPONSIBILITIES.**

23 Section 658Q(b) of the Child Care and Development
24 Block Grant Act of 1990 (42 U.S.C. 9858o(b)) is amend-
25 ed by striking “in a manner—” and all that follows

1 through “to disfavor” and inserting “in a manner to dis-
2 favor”.

3 **SEC. 116. MISCELLANEOUS PROVISIONS.**

4 Section 658S of the Child Care and Development
5 Block Grant Act of 1990 (42 U.S.C. 9858q) is amended—

6 (1) by striking “Notwithstanding” and insert-
7 ing the following:

8 “(a) CHILD CARE NOT TREATED AS INCOME.—Not-
9 withstanding”; and

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

11 “(b) RULE OF CONSTRUCTION FOR COLLECTIVE
12 BARGAINING.—Nothing in this subchapter shall be con-
13 strued to alter, diminish, or otherwise affect the rights,
14 remedies, and procedures afforded to individuals employed
15 by schools or local educational agencies, or teachers and
16 other staff employed by child care providers—

17 “(1) under Federal, State, or local laws (includ-
18 ing applicable regulations or court orders); or

19 “(2) under the terms of collective bargaining
20 agreements, memoranda of understanding, or other
21 agreements between schools, agencies, or providers
22 that are referred to in this subsection, and their em-
23 ployees.

1 “(c) SPECIAL RULES FOR ELIGIBLE CHILDREN.—

2 For purposes of determining whether a child is an eligible
3 child for purposes of this subchapter—

4 “(1) a State may not use eligibility require-
5 ments that are more restrictive than the require-
6 ments specified in this subchapter, including section
7 658P;

8 “(2) for a child of a parent who seeks to meet
9 the requirement of section 658P(4)(C) by partici-
10 pating in an education program as an eligible activ-
11 ity (as defined in section 658P), that parent shall
12 not be required to participate in any additional eligi-
13 ble activity (as so defined), or be required to hold
14 any minimum grade point average, to meet that re-
15 quirement; and

16 “(3) a child who became an eligible child when
17 the child’s family met the income requirements of
18 section 658P(4)(B) for an initial fiscal year shall be
19 considered to remain an eligible child for the subse-
20 quent fiscal year if—

21 “(A) the State median income for that fis-
22 cal year drops below the State median income
23 for the initial fiscal year, and as a result such
24 child’s family income now exceeds 150 percent
25 (or the corresponding percentage specified in

1 section 658P(4)(B)) of the State median in-
2 come; and

3 “(B) the child meets the other require-
4 ments of section 658P.

5 “(d) NONPOSTSECONDARY EDUCATION PROGRAM.—
6 For purposes of section 401 of the Act entitled ‘An Act
7 to provide for reconciliation pursuant to section 201(a)(1)
8 of the concurrent resolution on the budget for fiscal year
9 1997’, approved August 22, 1996, the program carried out
10 under this subchapter shall be considered to be a program
11 of nonpostsecondary education.”.

12 **SEC. 117. CONFORMING AMENDMENT.**

13 The Child Care and Development Block Grant Act
14 of 1990 (42 U.S.C. 9858 et seq.) is amended by striking
15 the subchapter heading and inserting the following:

16 **“Subchapter C—Child Care and Development**
17 **Assistance”.**

18 **SEC. 118. TRANSITION RULES.**

19 (a) IN GENERAL.—During fiscal years 2022 through
20 2024, the Secretary of Health and Human Services—

21 (1) shall make allotments and payments to
22 States, territories, and Indian tribes under section
23 658J and 658O of the Child Care and Development
24 Block Grant Act of 1990 (42 U.S.C. 9858h,

1 9858m), as in effect immediately before the date of
2 enactment of this Act, subject to subsection (b);

3 (2) shall reserve funds according to paragraphs
4 (3) through (5) of section 658O(a) of that Act (42
5 U.S.C. 9858m(a)); and

6 (3) shall carry out section 658E(c)(3) of that
7 Act (42 U.S.C. 9858c(c)(3)) by applying subpara-
8 graph (C) of that section, as in effect immediately
9 before the date of enactment of this Act.

10 (b) ADJUSTMENTS.—During fiscal years 2022
11 through 2024, the Secretary shall have authority to make
12 such adjustments as may be necessary to carry out sub-
13 section (a) and to transition to making quarterly payments
14 under section 658J and allotments under section 658O(a)
15 of the Child Care and Development Block Grant Act of
16 1990, as amended by this Act.

17 **SEC. 119. EFFECTIVE DATE.**

18 This title, and the amendments made by this title,
19 take effect on October 1, 2021, except as otherwise pro-
20 vided in this title.

TITLE II—HIGH-QUALITY PRESCHOOL

SEC. 201. FORMULA GRANTS TO STATES TO ESTABLISH VOLUNTARY HIGH-QUALITY PRESCHOOL PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) CHILD WITH A DISABILITY.—The term “child with a disability” has the meaning given the term in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(2) DUAL LANGUAGE LEARNER.—The term “dual language learner” means an individual who is limited English proficient, as defined in section 637 of the Head Start Act (42 U.S.C. 9832).

(3) ELIGIBLE CHILD.—The term “eligible child” means a child who is—

(A) age 3, 4, or 5;

(B) not yet enrolled in kindergarten; and

(C) a member of a family with a family income that does not exceed 150 percent of the State median income for a family of the same size.

(4) ELIGIBLE PROVIDER.—The term “eligible provider” includes a local educational agency, Head Start program funded under the Head Start Act (42

1 U.S.C. 9831 et seq.), licensed child care center, li-
 2 censed family child care home, and community- or
 3 neighborhood-based family child care network,
 4 that—

5 (A) participates in the State’s tiered and
 6 transparent system for measuring program
 7 quality described in section 658E(c)(2)(W)(i) of
 8 the Child Care and Development Block Grant
 9 Act of 1990 (42 U.S.C. 9858c(c)(2)(W)(i)); and

10 (B) meets the highest tier of such system.

11 (5) FOSTER CARE.—

12 (A) IN GENERAL.—The term “foster care”
 13 means 24-hour substitute care for a child
 14 placed away from the child’s parents or guard-
 15 ians and for whom the State agency has place-
 16 ment and care responsibility. The term includes
 17 care through a placement in a foster family
 18 home, a foster home of a relative, a group
 19 home, an emergency shelter, a residential facil-
 20 ity, a child care institution, or a pre-adoptive
 21 home.

22 (B) RULE.—A child shall be considered to
 23 be in foster care in accordance with subpara-
 24 graph (A) regardless of—

1 (i) whether the foster care facility is
 2 licensed and payments are made by the
 3 State or local agency for the care of the
 4 child;

5 (ii) whether adoption subsidy pay-
 6 ments are being made prior to the finaliza-
 7 tion of an adoption; or

8 (iii) whether there are Federal match-
 9 ing funds for any payments described in
 10 clause (i) or (ii) that are made.

11 (6) GOVERNOR.—The term “Governor” means
 12 the chief executive officer of a State.

13 (7) HIGH-NEED SCHOOL.—The term “high-need
 14 school” means an elementary school in which not
 15 less than 50 percent of the enrolled students are
 16 children from low-income families, as defined in sec-
 17 tion 2221(b)(3)(B) of the Elementary and Sec-
 18 ondary Education Act of 1965 (20 U.S.C.
 19 6641(b)(3)(B)).

20 (8) HIGH-NEED LOCAL EDUCATIONAL AGEN-
 21 CY.—The term “high-need local educational agency”
 22 means a local educational agency that serves a high
 23 percentage of high-need schools.

24 (9) HOMELESS CHILD.—The term “homeless
 25 child” means an individual who is a homeless child

1 or youth under section 725 of the McKinney-Vento
 2 Homeless Assistance Act (42 U.S.C. 11434).

3 (10) INFANT OR TODDLER WITH A DIS-
 4 ABILITY.—The term “infant or toddler with a dis-
 5 ability” has the meaning given the term in section
 6 632 of the Individuals with Disabilities Education
 7 Act (20 U.S.C. 1432).

8 (11) KEY PROGRAMMATIC STRATEGIES.—The
 9 term “key programmatic strategies” means strate-
 10 gies related to—

11 (A) nutrition and physical activity;

12 (B) recommended practices for age-appro-
 13 priate exposure to screen media; and

14 (C) the integration and utilization of in-
 15 structional methods to assist learning across
 16 disciplines, including methods that use the arts,
 17 language, literacy, mathematics, science, and
 18 social studies.

19 (12) LOW-INCOME CHILD.—The term “low-in-
 20 come child” means a child who is a member of a
 21 family with a family income that is at or below 200
 22 percent of the poverty line.

23 (13) OUTLYING AREAS.—The term “outlying
 24 areas” means the United States Virgin Islands,

Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(14) POVERTY LINE.—The term “poverty line” means the official poverty line (as defined by the Office of Management and Budget)—

(A) adjusted to reflect the percentage change in the Consumer Price Index For All Urban Consumers, issued by the Bureau of Labor Statistics, occurring in the 1-year period or other interval immediately preceding the date such adjustment is made; and

(B) adjusted for family size.

(15) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term “specialized instructional support personnel” has the meaning given such term in section 8101(47)(A) of the Elementary and Secondary Education Act (20 U.S.C. 7801(47)).

(16) STATE.—The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) ALLOTMENTS TO STATES.—

(1) RESERVATION.—From the total amount appropriated to carry out this section for a fiscal year, the Secretary of Health and Human Services, in collaboration with the Secretary of Education, shall—

1 (A) reserve not less than 1 percent and not
 2 more than 2 percent for payments to Indian
 3 tribes and tribal organizations;

4 (B) reserve $\frac{1}{2}$ of 1 percent for the outlying
 5 areas to be distributed among the outlying
 6 areas on the basis of their relative need, as de-
 7 termined by the Secretary of Health and
 8 Human Services in accordance with the pur-
 9 poses of this section;

10 (C) reserve $\frac{1}{2}$ of 1 percent for eligible
 11 local entities that serve children in families who
 12 are engaged in migrant or seasonal agricultural
 13 labor;

14 (D) reserve not more than 1 percent or
 15 \$30,000,000, whichever amount is less, for na-
 16 tional activities, including administration, tech-
 17 nical assistance, and evaluation; and

18 (E) reserve 5 percent for State leadership
 19 activities described in subsection (c), including
 20 the grants described in such subsection.

21 (2) ALLOTMENT FORMULA.—

22 (A) IN GENERAL.—Except as provided in
 23 subparagraph (B), from the total amount ap-
 24 propriated to carry out this section for a fiscal
 25 year that remains after making the reservations

under paragraph (1), the Secretary of Health and Human Services, in collaboration with the Secretary of Education, shall allot to each State for the fiscal year that has an application approved under subsection (d), for the purpose of providing grants to eligible providers to offer high-quality preschool, an amount that bears the same ratio to such remainder as the number of children who are below the age of 6 who reside within the State and whose families have an income at or below 200 percent of the poverty line for the most recent year for which satisfactory data are available, bears to the number of such children who reside in all such States for such most recent fiscal year for which satisfactory data are available.

(B) MINIMUM ALLOTMENT AMOUNT.—No State receiving an allotment under subparagraph (A) for a fiscal year shall receive less than $\frac{1}{2}$ of 1 percent of the total amount allotted under such subparagraph for the fiscal year.

(c) STATE RESERVATION.—

(1) IN GENERAL.—From amounts reserved under subsection (b)(1)(E), a State shall carry out

1 the State leadership activities described in this sub-
2 section to improve equitable access to high-quality
3 preschool programs operated by eligible providers
4 across the State, including programs in high-need
5 local educational agencies, which shall include—

6 (A) ongoing professional development op-
7 portunities for school principals, school super-
8 intendents, teachers, specialized instructional
9 support personnel, and teacher assistants to im-
10 prove their practices, which may include activi-
11 ties that—

12 (i) prepare elementary schools to cre-
13 ate or expand preschool classrooms, includ-
14 ing training on developmentally appro-
15 priate practices and preparing classrooms
16 with materials and equipment for young
17 children;

18 (ii) promote children's development
19 across all of the essential domains of early
20 learning and development;

21 (iii) improve curricula and teacher-
22 child interaction;

23 (iv) incorporate the inclusion of key
24 programmatic strategies into classroom in-
25 struction;

1 (v) increase effective family engage-
2 ment, including for families of dual lan-
3 guage learners;

4 (vi) provide effective instruction for
5 children of diverse cultural backgrounds,
6 children with disabilities, and dual lan-
7 guage learners;

8 (vii) improve social and emotional de-
9 velopment;

10 (viii) incorporate positive behavioral
11 interventions and supports and principles
12 of trauma-informed care;

13 (ix) align preschool curricula with ele-
14 mentary school standards and curricula;

15 (x) engage teachers, teacher leaders,
16 early childhood educators, and other pro-
17 fessionals in joint professional learning op-
18 portunities, as described in section
19 2103(b)(3)(G) of the Elementary and Sec-
20 ondary Education Act of 1965 (20 U.S.C.
21 6613(b)(3)(G)); and

22 (xi) improve the transition of children
23 from preschool to elementary school;

24 (B) completing the Preschool Equity Re-
25 view and distributing grants as described in

1 paragraph (2) in accordance with the results of
2 such review;

3 (C) expanding or establishing scholarships,
4 counseling, and compensation initiatives to
5 cover the cost of tuition, fees, materials, trans-
6 portation, and release time for staff of eligible
7 providers to pursue credentials and degrees, in-
8 cluding bachelor's degrees; and

9 (D) partnerships between institutions of
10 higher education and eligible providers, includ-
11 ing high-need local educational agencies, to im-
12 prove access to early childhood educators, in-
13 cluding educators serving dual language learn-
14 ers and children with disabilities.

15 (2) GRANTS TO IMPROVE EQUITABLE ACCESS
16 TO HIGH-QUALITY PRESCHOOL PROGRAMS.—

17 (A) IN GENERAL.—From amounts reserved
18 under subsection (b)(1)(E), a State shall make
19 grants to rectify resource inequities in preschool
20 programs and expand access to high-quality
21 preschool programs for all children, including
22 children described in items (aa) through (dd) of
23 subparagraph (B)(ii)(I). Such grants shall be
24 awarded to high-need local educational agencies
25 in order to improve their capacity to offer high-

1 quality preschool programs for eligible children,
 2 which may include paying the costs of renova-
 3 tion.

4 (B) PRESCHOOL EQUITY REVIEW.—

5 (i) IN GENERAL.—Each State making
 6 grants under subparagraph (A) shall com-
 7 plete an annual Preschool Equity Review
 8 that informs the distribution of funds
 9 under such subparagraph.

10 (ii) CONTENTS OF REVIEW.—Each
 11 Preschool Equity Review shall include data
 12 on—

13 (I) the percentage of children
 14 participating in preschool programs
 15 funded under this section,
 16 disaggregated by status as—

17 (aa) children with disabil-
 18 ities;

19 (bb) low-income children;

20 (cc) children from major
 21 ethnic and racial groups; and

22 (dd) dual language learners;

23 (II) the geographic location of
 24 preschool programs funded under this
 25 section;

1 (III) the quality of preschool pro-
2 grams funded under the section, com-
3 pared to such programs not funded
4 under this section; and

5 (IV) resource inequities between
6 preschool programs, including pro-
7 grams serving a high percentage of
8 children described in items (aa)
9 through (dd) of subclause (I).

10 (d) STATE APPLICATION.—In order to receive an al-
11 lotment under this section, the Governor of a State shall
12 submit an application at such time and in such manner
13 as the Secretary of Health and Human Services, in col-
14 laboration with the Secretary of Education, may require.
15 Such application shall include each of the following:

16 (1) A description of how the State will provide
17 access to high-quality preschool during the school
18 day for eligible children in the State within 3 years,
19 which shall include the following:

20 (A) How the State plans to distribute
21 funds from the State's allotment to eligible pro-
22 viders, including an assurance that the Gov-
23 ernor will designate a State-level entity (such as
24 an agency or joint interagency office) for the
25 administration of the grant.

1 (B) An explanation of how the State will
2 ensure that eligible providers receiving funds
3 under this section will use research-based cur-
4 ricula that are aligned with State early learning
5 standards that are developmentally appropriate
6 and include, at a minimum, each of the fol-
7 lowing domains:

8 (i) Language development.

9 (ii) Literacy.

10 (iii) Mathematics.

11 (iv) Science.

12 (v) Creative arts.

13 (vi) Social and emotional development.

14 (vii) Approaches to learning.

15 (viii) Physical development.

16 (C) How the State will coordinate services
17 provided under this section with services and
18 supports provided under the Child Care and
19 Development Block Grant Act of 1990 (42
20 U.S.C. 9858 et seq.), section 619 and part C of
21 the Individuals with Disabilities Education Act
22 (20 U.S.C. 1419; 1431 et seq.), the Head Start
23 Act (42 U.S.C. 9831 et seq.), the Preschool De-
24 velopment Grants program under section 9212
25 of the Every Student Succeeds Act (42 U.S.C.

1 9831 note), the Elementary and Secondary
 2 Education Act of 1965 (20 U.S.C. 6301 et
 3 seq.), the McKinney-Vento Homeless Assistance
 4 Act (42 U.S.C. 11301 et seq.) and the mater-
 5 nal, infant, and early childhood home visiting
 6 programs assisted under section 511 of the So-
 7 cial Security Act (42 U.S.C. 711).

8 (D) How the State will improve transitions
 9 from early childhood education to elementary
 10 school, including how the State will ensure that
 11 preschool programs—

12 (i) share relevant data between early
 13 childhood educators and kindergarten
 14 teachers;

15 (ii) share instructional, behavioral,
 16 and other information between early child-
 17 hood educators and kindergarten teachers
 18 to best support the transition of children
 19 with disabilities who may need services and
 20 supports provided under part B of the In-
 21 dividuals with Disabilities Education Act
 22 (42 U.S.C. 1411 et seq.) into general edu-
 23 cation settings; and

1 (iii) share information about the pro-
2 ficiency of dual language learners in both
3 English and their native language.

4 (E) How the State will provide ongoing
5 monitoring and support and conduct evalua-
6 tions of preschool programs funded under this
7 section.

8 (F) How the State has reviewed the stra-
9 tegic plan developed under section 9212 of the
10 Every Student Succeeds Act (42 U.S.C. 9831
11 note) or engaged in a similar strategy to facili-
12 tate coordination of existing early learning and
13 care programs in a mixed delivery system.

14 (G) If the State funds full-day kinder-
15 garten programs, but such full-day kinder-
16 garten programs are not available to all chil-
17 dren who are eligible to attend such programs
18 in the State, how the State plans to increase
19 the number of children in the State who are en-
20 rolled in full-day kindergarten programs and a
21 strategy to implement such a plan.

22 (H) If the State does not fund full-day
23 kindergarten programs, a description of how
24 the State plans to establish such programs to
25 strengthen the educational continuum for chil-

1 dren who will be involved in the State’s high-
2 quality preschool program supported under this
3 title.

4 (2) An assurance that all preschool programs
5 funded under this section will—

6 (A) offer programming that meets the du-
7 ration requirements in the program perform-
8 ance standards applicable to Head Start pro-
9 grams described in section 641A of the Head
10 Start Act (42 U.S.C. 9836a);

11 (B) adopt policies and practices to provide
12 expedited enrollment, including prioritization,
13 to—

14 (i) homeless children;

15 (ii) children in foster care; and

16 (iii) migratory children;

17 (C) conduct outreach to families of—

18 (i) homeless children;

19 (ii) dual language learners;

20 (iii) children in foster care;

21 (iv) children with disabilities;

22 (v) infants and toddlers with disabil-
23 ities; and

24 (vi) migratory children;

1 (D) provide salaries to staff of eligible pro-
2 viders that are on the same pay scale as ele-
3 mentary school educators with similar creden-
4 tials and experience;

5 (E) require high staff qualifications for
6 teachers, including, at a minimum, meeting the
7 staff qualifications included in the quality
8 standards of the National Institute for Early
9 Education Research that are in effect on the
10 date of enactment of this Act by not later than
11 4 years after the date the State first receives an
12 allotment under this section; and

13 (F) determine whether children are dual
14 language learners and provide services to en-
15 sure the full and effective participation of such
16 learners and their families.

17 (3) An assurance that the State will provide as-
18 sistance under this section only to eligible providers
19 that prohibit the use of suspension, expulsion, and
20 aversive behavioral interventions.

21 (4) An assurance that the State will meet the
22 requirements of clauses (ii) and (iii) of section
23 658E(c)(2)(T) of the Child Care and Development
24 Block Grant Act of 1990 (42 U.S.C.
25 9858c(c)(2)(T)(ii) and (iii)).

1 (e) USE OF FUNDS.—A State that receives an allot-
 2 ment under subsection (b)(2) for a fiscal year shall use
 3 the allotment to carry out the activities described in the
 4 State’s application described in subsection (d).

5 (f) MATCH REQUIRED.—A State that receives an al-
 6 lotment under subsection (b)(2) for a fiscal year shall pro-
 7 vide matching funds from non-Federal sources in an
 8 amount equal to 10 percent of the Federal funds that such
 9 State receives under such subsection for the fiscal year.

10 (g) REPORTING.—

11 (1) IN GENERAL.—Each State that receives an
 12 allotment under subsection (b)(2) shall prepare an
 13 annual report, in such manner and containing such
 14 information as the Secretary of Health and Human
 15 Services may reasonably require.

16 (2) CONTENTS.—A report prepared under para-
 17 graph (1) shall contain, at a minimum—

18 (A) a description of the manner in which
 19 the State has used the funds made available
 20 through the allotment and a report of the ex-
 21 penditures made with the funds;

22 (B) a summary of the State’s progress to-
 23 ward providing access to high-quality preschool
 24 programs for eligible children;

1 (C) an evaluation of the State's progress
2 towards improving equitable access to high-
3 quality preschool, as measured by the Preschool
4 Equity Review described in subsection
5 (c)(2)(B), disaggregated by the categories
6 under subsection (c)(2)(B)(ii)(I);

7 (D) the number and percentage of children
8 in the State participating in eligible preschool
9 programs, disaggregated by race, ethnicity,
10 family income, child age, disability, and whether
11 the children are homeless children, children in
12 foster care, or dual language learners;

13 (E) data on the number and percentage of
14 children in the State participating in public kin-
15 dergarten programs, disaggregated by race,
16 family income, child age, disability, and whether
17 the children are homeless children, children in
18 foster care, or dual language learners, with in-
19 formation on whether such programs are of-
20 fered—

21 (i) for a full-day; and

22 (ii) at no cost to families;

23 (F) data on the kindergarten readiness of
24 children across the State; and

1 (G) data regarding coordination efforts
 2 with other child care and early childhood edu-
 3 cation programs, including those funded under
 4 the Head Start Act (42 U.S.C. 9831 et seq.).

5 (h) MAINTENANCE OF EFFORT.—

6 (1) IN GENERAL.—If a State reduces its com-
 7 bined fiscal effort per child for its State preschool
 8 program or State supplemental assistance funds for
 9 Head Start programs assisted under the Head Start
 10 Act (42 U.S.C. 9831 et seq.) for any fiscal year that
 11 a State receives an allotment under subsection
 12 (b)(2) relative to the previous fiscal year, the Sec-
 13 retary of Health and Human Services, in collabora-
 14 tion with the Secretary of Education, shall reduce
 15 support for such State under such subsection by the
 16 same amount as the decline in State effort for such
 17 fiscal year.

18 (2) WAIVER.—The Secretary of Health and
 19 Human Services, in collaboration with the Secretary
 20 of Education, may waive the requirements of para-
 21 graph (1) if—

22 (A) the Secretaries determine that a waiv-
 23 er would be appropriate due to a precipitous de-
 24 cline in the financial resources of a State as a
 25 result of unforeseen economic hardship or a

1 natural disaster that has necessitated across-
2 the-board reductions in State services during
3 the 5-year period preceding the date of the de-
4 termination, including for early childhood edu-
5 cation programs; or

6 (B) due to the circumstances of a State re-
7 quiring reductions in specific programs, includ-
8 ing early childhood education, the State pre-
9 sents to the Secretaries a justification and dem-
10 onstration why other programs could not be re-
11 duced and how early childhood programs in the
12 State will not be disproportionately harmed by
13 such State action.

14 (i) SUPPLEMENT NOT SUPPLANT.—Funds received
15 under this section shall be used to supplement and not
16 supplant other Federal, State, and local public funds ex-
17 pended on early childhood education programs in the
18 State.

19 (j) APPROPRIATIONS.—There is authorized to be ap-
20 propriated, and there is appropriated, to carry out this
21 section, \$8,000,000,000 for each of fiscal years 2022
22 through 2032.

TITLE III—HEAD START

EXTENDED DURATION

SEC. 301. EXTENDED DURATION.

(a) IN GENERAL.—The Head Start Act (42 U.S.C. 9801 et seq.) is amended—

(1) by redesignating section 657C (42 U.S.C. 9852c) as section 657D; and

(2) by inserting after section 657B (42 U.S.C. 9852b) the following:

“SEC. 657C. EXTENDED DURATION.

“(a) IN GENERAL.—The Secretary shall make grants to Head Start agencies (including Early Head Start agencies) funded under this subchapter to enable such agencies—

“(1) to provide access to a full school year and a full school day of services;

“(2) in the case of a migrant and seasonal Head Start agency, to provide access to additional service hours to ensure continuous Head Start services as determined by the Secretary; or

“(3) in the case of a Head Start agency (including an Early Head Start agency) that already meets the full-day, full-year services needs within its community, to enhance the quality of Head Start

1 services (including Early Head Start services) pro-
 2 vided to children served by such agency.

3 “(b) APPLICATION.—

4 “(1) IN GENERAL.—To be eligible to receive a
 5 grant under this section, a Head Start agency shall
 6 submit an application at such time and in such man-
 7 ner as the Secretary may require. Such application
 8 shall include—

9 “(A) evidence of—

10 “(i) the number and percentage of
 11 slots—

12 “(I) in the agency’s Head Start
 13 center-based programs (that are not
 14 Early Head Start programs)—

15 “(aa) that are currently
 16 funded (as of the date of submis-
 17 sion of the application); and

18 “(bb) in which services are
 19 provided for at least the equiva-
 20 lent of 1,020 hours per year; and

21 “(II) in the agency’s Early Head
 22 Start center-based programs—

23 “(aa) that are currently
 24 funded (as of that date); and

1 “(bb) in which services are
2 provided for at least the equiva-
3 lent of 1,380 hours per year; and

4 “(ii) the number and percentage of
5 slots, in the agency’s Head Start family
6 child care programs—

7 “(I) that are currently funded
8 (as of that date); and

9 “(II) in which services are pro-
10 vided for at least the equivalent of
11 1380 hours per year;

12 “(B) a description of an approach, using
13 the current community-wide strategic planning
14 and needs assessment described in section
15 640(g)(1)(C) of the Head Start Act (42 U.S.C.
16 9835(g)(1)(C)) and current program schedule
17 (current as of the date of submission of the ap-
18 plication), that transitions all of the agency’s
19 Head Start programs to a full school day, full
20 school year program schedule; and

21 “(C) a budget justification that estimates
22 the supplemental funding necessary to provide
23 for incremental ongoing operating costs for the
24 extended hours of service under such a program

1 schedule for the current enrollment in the agen-
 2 cy's Head Start programs.

3 “(2) EXCEPTIONS.—

4 “(A) MIGRANT AND SEASONAL HEAD
 5 START.—

6 “(i) IN GENERAL.—A migrant and
 7 seasonal Head Start agency may apply for
 8 a grant described in subsection (a) without
 9 meeting the requirements specified in para-
 10 graph (1) to ensure continuous Head Start
 11 services are provided to children enrolled in
 12 a migrant and seasonal Head Start pro-
 13 gram. To be eligible to receive the grant,
 14 the agency shall submit an application at
 15 such time and in such manner as the Sec-
 16 retary may require.

17 “(ii) PRIORITY.—In making grants to
 18 applicants described in clause (i), the Sec-
 19 retary shall give priority to a migrant and
 20 seasonal Head Start agency operating for
 21 fewer than 8 months per year.

22 “(B) FULL-DAY, FULL-YEAR HEAD START
 23 AGENCIES.—

24 “(i) IN GENERAL.—A Head Start
 25 agency (including an Early Head Start

1 agency) that certifies to the Secretary that
 2 it is meeting the full-day, full-year need
 3 within its community may apply for a
 4 grant to enhance the quality of services
 5 provided to children enrolled in its Head
 6 Start program (including its Early Head
 7 Start program) in accordance with sub-
 8 section (c)(2).

9 “(ii) APPLICATION.—A Head Start
 10 agency (including Early Head Start agen-
 11 cy) that meets the requirements of clause
 12 (i) shall submit an application, which shall
 13 include—

14 “(I) the proposed uses of funds
 15 in accordance with subsection (c)(2);
 16 and

17 “(II) how such uses of funds re-
 18 late to the communitywide strategic
 19 planning and needs assessment de-
 20 scribed under section 640(g)(1)(C).

21 “(c) USE OF FUNDS.—

22 “(1) EXTENDED DURATION.—A Head Start
 23 agency that meets the requirements of paragraph
 24 (1) or (2) of subsection (a) receiving a grant under
 25 this section shall use the grant funds to cover the

1 costs associated with extending those hours of serv-
 2 ice for the current enrollment, such as additional
 3 costs for—

4 “(A) the purchase, rental, renovation, and
 5 maintenance of additional facilities;

6 “(B) ongoing purchases of classroom sup-
 7 plies;

8 “(C) staff providing services during the ex-
 9 tended hours; and

10 “(D) professional development to staff
 11 transitioning to providing services during the
 12 extended hours.

13 “(2) ENHANCING PROGRAM QUALITY.—A Head
 14 Start agency (including an Early Head Start agen-
 15 cy) that meets the requirements of subsection (a)(3)
 16 shall use funds for the activities authorized under
 17 section 640(a)(5)(B).

18 “(3) EXCEPTION.—The Head Start agency
 19 shall not use the grant funds to expand the number
 20 of children served in the Head Start program (in-
 21 cluding the Early Head Start program) of the agen-
 22 cy.

23 “(d) RESERVATIONS.—

1 “(1) ACTIVITIES.—From the total amount ap-
 2 propriated to carry out this section, the Secretary
 3 shall—

4 “(A) for making grants for the activities
 5 described in subsection (c)(1)(A), reserve
 6 \$4,000,000,000 of the funds appropriated for
 7 fiscal year 2022; and

8 “(B) for making grants for the activities
 9 described in any of subparagraphs (B) through
 10 (D) of subsection (c)(1), reserve—

11 “(i) \$490,000,000 of the funds appro-
 12 priated for fiscal year 2022;

13 “(ii) \$610,000,000 of the funds ap-
 14 propriated for fiscal year 2023; and

15 “(iii) \$730,000,000 of the funds ap-
 16 propriated for fiscal year 2024.

17 “(2) PRIORITY.—The Secretary shall prioritize
 18 Head Start agencies (including Early Head Start
 19 agencies) that are applying to use funds to carry out
 20 the activities described in subsection (a)(1).

21 “(3) MIGRANT OR SEASONAL HEAD START PRO-
 22 GRAMS.—From the amount appropriated to carry
 23 out this section for a fiscal year and reserved under
 24 paragraph (1)(B), the Secretary shall reserve 4.5

1 percent for migrant or seasonal Head Start pro-
2 grams.

3 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this sec-
5 tion—

6 “(1) \$4,490,000,000 for fiscal year 2022;

7 “(2) \$610,000,000 for fiscal year 2023; and

8 “(3) \$730,000,000 for fiscal year 2024.

9 “(f) DEFINITIONS.—In this section:

10 “(1) FULL SCHOOL DAY; FULL SCHOOL
11 YEAR.—The terms ‘full school day’ and ‘full school
12 year’ mean such a day and year, respectively, within
13 the meaning of the Head Start Program Perform-
14 ance standards issued under section 641A(a).

15 “(2) MIGRANT AND SEASONAL HEAD START
16 AGENCY.—The term ‘migrant and seasonal Head
17 Start agency’ means an agency that is funded under
18 this subchapter to provide a migrant and seasonal
19 Head Start program.”.

20 (b) CONFORMING AMENDMENTS.—Section 640 of the
21 Head Start Act (42 U.S.C. 9835) is amended—

22 (1) in subsection (a)(6), by striking “appro-
23 priated under this subchapter” each place it appears
24 and inserting “appropriated under section 639”; and

25 (2) in subsection (g)(3)(A)—

1 (A) by striking “amount appropriated”
 2 each place it appears and inserting “amount
 3 appropriated under section 639”;

4 (B) by striking “services provided under
 5 this subchapter” and inserting “services pro-
 6 vided under this subchapter (other than section
 7 657C)”;

8 (C) by striking “agency under this sub-
 9 chapter” and inserting “agency under this sub-
 10 chapter (other than section 657C)”.

11 **SEC. 302. APPROPRIATION FOR WAGES.**

12 (a) APPROPRIATION.—There is authorized to be ap-
 13 propriated, and there is appropriated, out of any funds
 14 in the Treasury not otherwise appropriated,
 15 \$4,000,000,000 for fiscal year 2022 and each subsequent
 16 fiscal year, to carry out subsection (b).

17 (b) USE OF FUNDS.—Using funds made available
 18 under subsection (a), the Secretary of Health and Human
 19 Services shall assist Head Start agencies (including Early
 20 Head Start agencies) funded under the Head Start Act
 21 (42 U.S.C. 9831 et seq.), to the extent needed to ensure
 22 that their teachers and staff—

23 (1) receive wages that are comparable to wages
 24 for elementary educators with similar credentials
 25 and experience in the State; or

1 (2) at a minimum, receive a living wage.

2 (c) APPLICATION.—In carrying out subsection (b),
3 the Secretary shall apply the Head Start Act, except to
4 the extent that subsection (b) is inconsistent with that
5 Act.

6 **TITLE IV—APPROPRIATIONS**
7 **FOR SUPPORTS AND SERV-**
8 **ICES FOR INCLUSIVE CHILD**
9 **CARE FOR INFANTS, TOD-**
10 **DLERS, AND CHILDREN WITH**
11 **DISABILITIES**

12 **SEC. 401. APPROPRIATIONS FOR SUPPORTS AND SERVICES**
13 **FOR INCLUSIVE CHILD CARE FOR INFANTS,**
14 **TODDLERS, AND CHILDREN WITH DISABIL-**
15 **ITIES.**

16 There is authorized to be appropriated and there is
17 appropriated for each State for each quarter an amount
18 that is equal to 5 percent of the payment to such State
19 for such quarter under section 658J of the Child Care and
20 Development Block Grant Act of 1990 (42 U.S.C. 9858h)
21 to be used by—

22 (1) the State’s lead agency designated or estab-
23 lished under section 635(a)(10) of the Individuals
24 with Disabilities Education Act (20 U.S.C.
25 1435(a)(10)) to provide early intervention services

1 for infants and toddlers with disabilities (as defined
 2 in section 632 of the Individuals with Disabilities
 3 Education Act (20 U.S.C. 1432)) and their families
 4 in settings that provide high-quality inclusive care to
 5 such children; and

6 (2) the State to provide services and supports
 7 to children with disabilities (as defined in section
 8 658P of the Child Care and Development Block
 9 Grant Act of 1990 (42 U.S.C. 9858n)) in settings
 10 that provide high-quality inclusive care to such chil-
 11 dren.

12 **TITLE V—MATERNAL, INFANT,**
 13 **AND EARLY CHILDHOOD**
 14 **HOME VISITING PROGRAM**

15 **SEC. 501. SENSE OF CONGRESS.**

16 It is the sense of Congress that—

17 (1) from the prenatal period to the first day of
 18 kindergarten, children’s development rapidly pro-
 19 gresses at a pace exceeding that of any subsequent
 20 stage of life;

21 (2) as reported by the National Academy of
 22 Sciences in 2001, striking disparities exist in what
 23 children know and can do that are evident well be-
 24 fore they enter kindergarten; these differences are
 25 strongly associated with social and economic cir-

1 cumstances, and they are predictive of subsequent
2 academic performance;

3 (3) research has consistently demonstrated that
4 investments in high-quality programs that serve in-
5 fants and toddlers better position those children for
6 success in elementary, secondary, and postsecondary
7 education as well as helping children develop the
8 critical physical, emotional, social, and cognitive
9 skills that they will need for the rest of their lives;

10 (4) in 2011, there were 11,000,000 infants and
11 toddlers living in the United States and 49 percent
12 of these children came from low-income families liv-
13 ing with incomes at or below 200 percent of the
14 Federal poverty guidelines;

15 (5) the Maternal, Infant, and Early Childhood
16 Home Visiting (MIECHV) program was authorized
17 by Congress to facilitate collaboration and partner-
18 ship at the Federal, State, and community levels to
19 improve health and development outcomes for at-risk
20 children, including those from low-income families,
21 through evidence-based home visiting programs;

22 (6) MIECHV is an evidence-based policy initia-
23 tive and its authorizing legislation requires that at
24 least 75 percent of funds dedicated to the program
25 must support programs to implement evidence-based

1 home visiting models, which includes the home-based
2 model of Early Head Start;

3 (7) in fiscal year 2016, MIECHV served ap-
4 proximately 160,000 parents and children, which is
5 only a small portion of those eligible, in 893 counties
6 covering all 50 states, the District of Columbia, and
7 5 territories; and

8 (8) Congress should increase its investment in
9 MIECHV to support the work of States to help
10 more at-risk families voluntarily receive home visits
11 from home visitors to—

12 (A) promote maternal, infant, and child
13 health;

14 (B) improve school readiness and achieve-
15 ment;

16 (C) prevent potential child abuse or neglect
17 and injuries;

18 (D) support family economic self-suffi-
19 ciency;

20 (E) reduce crime or domestic violence; and

21 (F) improve coordination or referrals for
22 community resources and supports.

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