

117TH CONGRESS
1ST SESSION

H. R. 2817

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 HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Mr. SCOTT of Virginia (for himself, Mr. SABLAN, Mrs. HAYES, Ms. BONAMICI, Ms. WILSON of Florida, Mr. TAKANO, Mr. CASTRO of Texas, Mrs. McBATH, Mr. NORCROSS, Mr. MORELLE, Ms. WILD, Mr. COURTNEY, Mr. BOWMAN, Mr. DESAULNIER, Ms. LEGER FERNANDEZ, Mr. YARMUTH, Ms. ADAMS, Mr. MRVAN, Mr. ESPAILLAT, Ms. STEVENS, Ms. DELAURO, Ms. GARCIA of Texas, Ms. CLARK of Massachusetts, Mr. MEEKS, Mr. SMITH of Washington, Ms. LOIS FRANKEL of Florida, Ms. KAPTUR, Ms. MENG, Mr. CICILLINE, Mr. RASKIN, Mr. COHEN, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. CARBAJAL, Ms. BASS, Mr. KILMER, Mr. LARSON of Connecticut, Ms. BROWNLEY, Ms. TITUS, Ms. CASTOR of Florida, Ms. JACOBS of California, Mr. LARSEN of Washington, Ms. SCANLON, Mr. EVANS, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. CARSON, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Ms. HOULAHAN, Mr. TONKO, Ms. TLAIB, Ms. JACKSON LEE, Ms. BLUNT ROCHESTER, Mrs. LAWRENCE, Ms. DEGETTE, Ms. VELÁZQUEZ, Mr. LIEU, Ms. ROYBAL-ALLARD, Mr. SOTO, Mr. LANGEVIN, Ms. MOORE of Wisconsin, Ms. STRICKLAND, Mr. VARGAS, Mrs. WATSON COLEMAN, Ms. PINGREE, Mr. AUCHINCLOSS, Mr. PASCRELL, Mr. DEFazio, Ms. WILLIAMS of Georgia, Mr. MFUME, Mrs. NAPOLITANO, Mr. KILDEE, Ms. UNDERWOOD, Mr. BLUMENAUER, Mr. NEGUSE, Mr. CARTWRIGHT, Mr. SWALWELL, Ms. ROSS, Ms. SHERRILL, Mr. HORSFORD, Ms. WASSERMAN SCHULTZ, and Ms. MCCOLLUM) introduced the following bill; which was referred to the Committee on Education and Labor

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”.

6 **TITLE I—CHILD CARE AND**
 7 **DEVELOPMENT ASSISTANCE**

8 **SEC. 101. PURPOSES.**

9 Section 658A(b) of the Child Care and Development
 10 Block Grant Act of 1990 (42 U.S.C. 9801 note) is amend-
 11 ed—

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

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

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

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

22 (3) in paragraph (4)—

23 (A) by striking “high-quality,” and insert-
 24 ing “high-quality and inclusive, and”; and

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

4 (4) in paragraph (5), by inserting before the
5 semicolon the following: “, and to help child care
6 programs meet evidence-based or national standards
7 to improve the quality of child care”;

8 (5) in paragraph (6)—

9 (A) by inserting “, including children with
10 disabilities and infants and toddlers with dis-
11 abilities” before the semicolon; and

12 (B) by striking “and” at the end;

13 (6) in paragraph (7)—

14 (A) by striking “high-quality” and insert-
15 ing “high-quality and inclusive”; and

16 (B) by striking the period at the end and
17 inserting “; and”; and

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

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

1 toddlers with disabilities and families of children
2 with disabilities.”.

3 **SEC. 102. APPROPRIATIONS.**

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

7 **“SEC. 658B. APPROPRIATIONS.**

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

11 “(1) to carry out this subchapter
12 \$20,000,000,000 for fiscal year 2022,
13 \$30,000,000,000 for fiscal year 2023, and
14 \$40,000,000,000 for fiscal year 2024; and

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

19 “(b) TERRITORIES, INDIAN TRIBES.—There are au-
20 thorized to be appropriated and there are appropriated,
21 out of any money in the Treasury not otherwise appro-
22 priated to carry out paragraphs (1) and (2) of section
23 658O(a) such sums as may be necessary for fiscal year
24 2025 and each subsequent fiscal year.”.

1 **SEC. 103. ESTABLISHMENT OF PROGRAM.**

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

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

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

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

20 **SEC. 104. LEAD AGENCY.**

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

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

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

4 **SEC. 105. APPLICATION AND PLAN.**

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

8 (1) in paragraph (2)—

9 (A) in subparagraph (A)—

10 (i) by striking the matter preceding
 11 clause (i) and inserting the following:

12 “(A) SUPPORTING WORKING PARENTS.—
 13 Support working parents by providing assur-
 14 ances that—”; and

15 (ii) by striking clause (i)(II) and in-
 16 serting the following:

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

21 (B) in subparagraph (E)—

22 (i) in clause (i)—

23 (I) by striking subclause (II) and
 24 inserting the following:

1 “(II) the State’s tiered and
2 transparent system for measuring the
3 quality of child care providers, de-
4 scribed in subparagraph (W)(i), in-
5 cluding—

6 “(aa) a description of the
7 national standards or other
8 equally rigorous and evidence-
9 based standards tied to child out-
10 comes that the State uses for
11 purposes of subparagraph
12 (W)(i)(II)(aa);

13 “(bb) the payment rates re-
14 ferred to in paragraph (4), for
15 providers at each tier of such
16 system; and

17 “(cc) the number and per-
18 centage of eligible providers at
19 each tier of such system, in total
20 and disaggregated by geographic
21 location, by provider race and
22 ethnicity, and by the race and
23 ethnicity of the children served,
24 unless the disaggregation in-
25 volved would reveal personally

1 identifiable information about an
2 individual provider or child;”;

3 (II) in subclause (IV), by insert-
4 ing “the program carried out under
5 title II of the Child Care for Working
6 Families Act,” after “9831 et seq.”;

7 (III) in subclause (VI), by insert-
8 ing “(including for families who speak
9 languages other than English)” after
10 “family engagement”; and

11 (IV) in subclause (VII), by strik-
12 ing “and” at the end;

13 (ii) in clause (ii), by striking the pe-
14 riod at the end and inserting a semicolon;
15 and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(iii) information about the State’s
19 wage ladder described in subparagraph
20 (G)(iii); and

21 “(iv) information on opportunities for
22 staff of child care providers to improve
23 their skills and credentials, including infor-
24 mation about training opportunities and

professional organizations that provide such training.”;

(C) in subparagraph (G)—

(i) in clause (i), by striking “and professional development requirements” and inserting “, professional development, and compensation requirements”;

(ii) in clause (ii)(V)—

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

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

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

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

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

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

“(iii) COMPENSATION.—The plan shall provide a description of the State’s wage ladder for staff of eligible child care providers, and an assurance that wages for

1 such staff will, at a minimum, meet the re-
2 quirements of paragraph (4)(B)(iii)(II).

3 “(iv) STAKEHOLDER ENGAGEMENT.—
4 The plan shall demonstrate how the State
5 will facilitate participation of staff of eligi-
6 ble child care providers in organizations
7 that foster the professional development
8 and stakeholder engagement of the child
9 care workforce.”;

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

12 “(ii) may include other requirements,
13 such as—

14 “(I) requirements relating to nu-
15 trition, access to physical activity, or
16 any other subject area determined by
17 the State to be necessary to promote
18 child development or to protect chil-
19 dren’s health and safety; and

20 “(II) a requirement to comply
21 with the standards recommended in
22 the Department of Health and
23 Human Services’ report entitled ‘Car-
24 ing for our Children Basics: Health
25 and Safety Foundations for Early

1 Care and Education’ issued on June
2 25, 2015.”;

3 (E) in subparagraph (K)(i), in the matter
4 preceding subclause (I), by striking “, not later
5 than 2 years after the date of enactment of the
6 Child Care and Development Block Grant Act
7 of 2014,”;

8 (F) in subparagraph (M)—

9 (i) by adding “investment of quality
10 child care amounts described in section
11 658G(a)(1),” after “parents,”;

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

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

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

19 “(iv) infants and toddlers with disabil-
20 ities;

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

23 (G) in subparagraph (N)—

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

4 (ii) in clause (i)—

5 (I) in subclause (I), by striking
6 “child’s parent” and all that follows
7 and inserting “child’s parent as par-
8 ticipating in an eligible activity (as de-
9 fined in section 658P), a change in
10 family income for the child’s family,
11 or a change in custody or guardian-
12 ship of the child.”; and

13 (II) by adding at the end the fol-
14 lowing:

15 “(III) LONGER-TERM PERIOD.—

16 The plan shall demonstrate that each
17 child who, on the date the child is de-
18 termined to be an eligible child, is a
19 child in foster care or a homeless
20 child, and who receives assistance
21 under this subchapter prior to reach-
22 ing the age of compulsory school at-
23 tendance, shall remain eligible for
24 such assistance and shall receive such
25 assistance, if so desired by the child’s

1 family, until such child reaches the
 2 age of compulsory school attend-
 3 ance.”;

4 (iii) in clause (ii), by striking “(espe-
 5 cially parents in families receiving assist-
 6 ance under the program of block grants to
 7 States for temporary assistance for needy
 8 families under part A of title IV of the So-
 9 cial Security Act (42 U.S.C. 601 et
 10 seq.))”;

11 (iv) in clause (iii)—

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

14 (II) by striking “of attendance at
 15 a job training or educational pro-
 16 gram” and inserting “of participation
 17 in an eligible activity (as defined in
 18 section 658P)”;

19 (III) by striking “resume attend-
 20 ance at a job training or educational
 21 program” and inserting “resume par-
 22 ticipation in an eligible activity (as so
 23 defined)”;

24 (v) by striking clause (iv);

25 (H) in subparagraph (O)—

1 (i) in clause (i), by striking “with pro-
2 grams operating” and all that follows and
3 inserting “with programs, operating at the
4 Federal, State, and local levels for chil-
5 dren, that are—

6 “(I) preschool programs, pro-
7 grams funded under title II of the
8 Child Care for Working Families Act,
9 programs funded under the Head
10 Start Act (42 U.S.C. 9831 et seq.),
11 tribal early childhood programs, and
12 other early childhood programs, in-
13 cluding those serving infants and tod-
14 dlers with disabilities or children with
15 disabilities;

16 “(II) programs serving homeless
17 children and children in foster care;
18 and

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

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

23 (iii) by redesignating clause (iii) as
24 clause (ii);

25 (I) in subparagraph (Q)—

1 (i) by striking “LOW-INCOME POPU-
2 LATIONS” and inserting “CHILDREN IN
3 UNDERSERVED AREAS, CHILDREN WITH
4 DISABILITIES, AND INFANTS AND TOD-
5 DLERS WITH DISABILITIES”; and

6 (ii) by striking “The plan” and all
7 that follow and inserting “The plan shall
8 describe the process the State proposes to
9 use, with respect to investments made to
10 increase access to programs providing
11 high-quality and inclusive child care and
12 development services, to give priority for
13 those investments to areas that have sig-
14 nificant concentrations of poverty and un-
15 employment and that do not have such
16 services, and to areas that do not have
17 such services for children with disabilities
18 and infants and toddlers with disabilities.”;

19 (J) in subparagraph (R), by inserting “and
20 a group of parents who use a variety of child
21 care services that reflects the variety of child
22 care services provided in the State” before the
23 period;

24 (K) by striking subparagraph (S) and in-
25 serting the following:

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

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

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

(L) in subparagraph (T)—

(i) in clause (i)—

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

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

(ii) in clause (iv)—

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

1 (II) by striking “Federal Govern-
2 ment” and all that follows through
3 “mandate” and inserting “Federal
4 Government to mandate”; and

5 (III) by striking “section;” and
6 inserting “section.”;

7 (M) in subparagraph (U)—

8 (i) in clause (i)—

9 (I) by striking “or a major” and
10 inserting “, a major”; and

11 (II) by inserting before the pe-
12 riod the following “, or a public health
13 emergency declared under section 319
14 of the Public Health Service Act (42
15 U.S.C. 247d)”;

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

22 (iii) in clause (iii)(I), by inserting “in-
23 fants and toddlers with disabilities,” after
24 “children with disabilities,”; and

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

1 “(W) TIERED AND TRANSPARENT SYSTEM
2 FOR MEASURING THE QUALITY OF CHILD CARE
3 PROVIDERS.—The plan shall describe how the
4 State will develop or revise with input (from
5 early childhood education and development ex-
6 perts, from a diverse group of child care pro-
7 viders working in a variety of child care set-
8 tings, from families, and from organizations
9 representing child care directors, teachers, and
10 other staff), within 3 years after the date of
11 submission of the State application, systems for
12 measuring the quality of eligible child care pro-
13 viders who provide services for which assistance
14 is made available under this subchapter, that
15 are inclusive and appropriate for child care pro-
16 viders and that consist of—

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

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

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

4 “(aa) uses the degree to
5 which the provider meets national
6 standards (which may be Head
7 Start program performance
8 standards described in section
9 641A(a) of the Head Start Act
10 (42 U.S.C. 9836a(a)) or stand-
11 ards for national accreditation of
12 early learning programs) or other
13 equally rigorous and evidence-
14 based standards that are tied to
15 child outcomes; and

16 “(bb) includes indicators
17 that are appropriate for different
18 types of providers, including child
19 care centers and family child care
20 providers, and are appropriate
21 for providers serving different
22 age groups (including mixed age
23 groups) of children, while main-
24 taining a high level of quality
25 child care by all of the different

1 types of providers and for all of
2 the different age groups (includ-
3 ing mixed age groups);

4 “(III) includes a different set of
5 standards that includes different indi-
6 cators, to be applied, when appro-
7 priate, for care during nontraditional
8 hours of operation; and

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

18 “(ii) a separate system of quality
19 standards for providers concerning develop-
20 mentally appropriate and age-appropriate
21 care that—

22 “(I) applies to eligible child care
23 providers of family, friend, or neigh-
24 bor care (except such providers that

1 elect to be covered under clause (i));
2 and

3 “(II) includes standards for care
4 during nontraditional hours of oper-
5 ation and traditional hours of oper-
6 ation.

7 “(X) PROHIBITION ON CHARGING MORE
8 THAN COPAYMENT.—The plan shall provide
9 that, after the systems described in subpara-
10 graph (W) are in effect, child care providers re-
11 ceiving financial assistance under this sub-
12 chapter may not charge the family of an eligible
13 child more than the total of—

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

16 “(ii) any applicable copayment pursu-
17 ant to paragraph (5).

18 “(Y) POLICIES TO SUPPORT CHILDREN
19 WITH DISABILITIES AND INFANTS AND TOD-
20 DLERS WITH DISABILITIES.—The plan shall
21 provide a description of—

22 “(i) how the State will ensure that eli-
23 gible child care providers, except for pro-
24 viders of family, friend, or neighbor care
25 that elect to be covered under subpara-

graph (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 designated under section 635(a)(10) of the Individuals with Disabilities Education Act (20 U.S.C. 1435(a)(10)), local educational agencies, and early intervention services providers to provide services and supports described in the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in inclusive child care settings to children with disabilities, and to infants and toddlers with disabilities, who are eligible children.

“(Z) CHILD CARE EQUITY REVIEW.—The plan shall provide a description of how the State used the results of the child care equity review required under section 658K to inform the distribution of funds under this subchapter, including funds distributed under section 658G, in an effort to improve equitable access to high-

1 quality inclusive child care for children in the
2 State.

3 “(AA) POLICIES TO SUPPORT CHILDREN
4 WHO ARE DUAL LANGUAGE LEARNERS.—The
5 plan shall provide a description of how the
6 State will ensure that eligible child care pro-
7 viders will support children who are dual lan-
8 guage learners, and their families, enrolled in
9 programs carried out by the providers, includ-
10 ing how the State will support child care pro-
11 viders to, to the greatest extent possible, iden-
12 tify each child’s home language through a home
13 language survey, engage with the families in a
14 culturally responsive manner, provide materials
15 and information in a format and language that
16 is accessible to parents, and recognize the
17 child’s home language as an asset and support
18 language development in the child’s home lan-
19 guage.

20 “(BB) AVAILABILITY OF INFORMATION.—
21 The plan shall describe how the lead agency in-
22 tends to make information that is publicly avail-
23 able about the State’s child care program and
24 policies, in particular the information referred
25 to in subparagraphs (E), (I), and (T), available

1 in formats accessible to parents and child care
2 providers in the State, which shall include mak-
3 ing such information available in the languages
4 most commonly spoken in the State to the
5 greatest extent possible within 5 years after the
6 date of enactment of the Child Care for Work-
7 ing Families Act.

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

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

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

8 (3) by striking paragraphs (4) and (5) and in-
9 serting the following:

10 “(4) PAYMENT RATES.—

11 “(A) IN GENERAL.—The State plan
12 shall—

13 “(i) certify that payment rates for the
14 provision of child care services for which
15 assistance is provided in accordance with
16 this subchapter—

17 “(I) will be based on a cost esti-
18 mation model that is described in sub-
19 paragraph (B) and is approved by the
20 Secretary of Health and Human Serv-
21 ices; and

22 “(II) will correspond to dif-
23 ferences in quality based on the
24 State’s tiered and transparent system
25 for measuring the quality of child care

1 providers, described in paragraph
2 (2)(W)(i), and based on the standards
3 described in paragraph (2)(W)(ii); and
4 “(ii) specify whether the State is
5 electing—

6 “(I) to include, in those payment
7 rates, a bonus for serving children
8 during nontraditional hours or chil-
9 dren (including infants and toddlers)
10 described in paragraph (2)(M); or

11 “(II) to waive the copayment de-
12 scribed in paragraph (5) for a child
13 who has been identified as eligible for
14 assistance from child protective serv-
15 ices.

16 “(B) COST ESTIMATION MODEL.—The
17 State plan shall—

18 “(i) demonstrate that the State has,
19 after consulting with the entities and indi-
20 viduals described in subparagraph (D), de-
21 veloped and used (not earlier than 3 years
22 before the date of the submission of the
23 application containing the State plan) a
24 statistically valid and reliable cost esti-

1 mation model for the rates of such child
2 care services in the State—

3 “(I) for providers at each of the
4 tiers of the State’s tiered and trans-
5 parent system for measuring the qual-
6 ity of child care providers described in
7 paragraph (2)(W)(i) (which rates re-
8 flect variations in the cost of child
9 care services by geographic area, type
10 of provider, and age of child, and the
11 additional costs associated with pro-
12 viding high-quality and inclusive child
13 care services for children with disabil-
14 ities and infants and toddlers with
15 disabilities); and

16 “(II) for providers that meet the
17 standards described in paragraph
18 (2)(W)(ii);

19 “(ii) demonstrate that the State—

20 “(I) prepared a detailed report
21 containing the child care costs esti-
22 mated with the State cost estimation
23 model pursuant to clause (i), which
24 report shall include an explanation de-
25 tailing how the wage requirements de-

1 scribed in clause (iii)(II) were applied
2 in the estimation of such costs; and

3 “(II) made the estimated costs
4 widely available (not later than 30
5 days after the completion of the esti-
6 mation) through periodic means, in-
7 cluding posting the estimated costs on
8 the Internet;

9 “(iii) describe how the State will set
10 payment rates for child care services, for
11 which assistance is provided in accordance
12 with this subchapter—

13 “(I) in accordance with the most
14 recent estimates from the most recent
15 cost estimation model used pursuant
16 to clause (i), so that providers at each
17 tier of the tiered and transparent sys-
18 tem for measuring program quality
19 receive payment that is not less than
20 the cost of meeting the requirements
21 of such tier; and

22 “(II) that maintain an effective
23 and diverse workforce by ensuring
24 wages for staff of child care providers
25 that—

1 “(aa) are comparable to
2 wages for elementary educators
3 with similar credentials and expe-
4 rience in the State; and

5 “(bb) at a minimum, provide
6 a living wage for all staff of child
7 care providers; and

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

11 “(C) PAYMENT PRACTICES.—The State
12 plan shall include—

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

1 encourage more child care providers to
2 serve children who receive assistance under
3 this subchapter;

4 “(ii) an assurance that the State will
5 implement enrollment and eligibility poli-
6 cies that support the fixed costs of pro-
7 viding child care services by delinking pro-
8 vider payment rates from an eligible child’s
9 occasional absences due to holidays or un-
10 foreseen circumstances such as illness; and

11 “(iii) a description of how the State
12 will use direct contracts or grants to sup-
13 port the stability of child care providers in
14 the State, and to increase the supply and
15 improve the quality of child care services in
16 the State as required under paragraph
17 (2)(M).

18 “(D) ENTITIES AND INDIVIDUALS CON-
19 SULTED.—The entities and individuals referred
20 to in subparagraph (B)(i) are the State Advi-
21 sory Council on Early Childhood Education and
22 Care designated or established in section
23 642B(b)(1)(A)(i) of the Head Start Act (42
24 U.S.C. 9837b(b)(1)(A)(i)) (including State
25 Head Start collaboration office directors), ad-

1 ministrators of local child care programs and
2 Head Start programs, organizations rep-
3 resenting child care directors, teachers, and
4 other staff, local child care resource and refer-
5 ral agencies, organizations representing parents
6 of children with disabilities and parents of in-
7 fants and toddlers with disabilities, the State
8 interagency coordinating council established
9 under section 641 of the Individuals with Dis-
10 abilities Education Act (20 U.S.C. 1441), the
11 State advisory panel established under section
12 612(a)(21) of the Individuals with Disabilities
13 Education Act (20 U.S.C. 1412(a)(21)), and
14 other appropriate entities.

15 “(5) SLIDING SCALE FOR COPAYMENTS.—

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

20 “(i) a family receiving assistance
21 under this subchapter to pay a full copay-
22 ment referred to in subparagraph (B) (or,
23 for a family receiving part-time care, a re-
24 duced copayment that is the proportionate
25 amount of the full copayment); or

1 “(ii) another entity to pay the copay-
2 ment (full or reduced) on behalf of the
3 family, voluntarily or in accordance with
4 Federal law.

5 “(B) SLIDING SCALE.—Such full copay-
6 ment shall be based on a sliding scale that pro-
7 vides that, for a family with a family income—

8 “(i) of not more than 75 percent of
9 State median income for a family of the
10 same size, the family shall not pay a co-
11 payment, toward the cost of the child care
12 involved for all eligible children in the fam-
13 ily;

14 “(ii) of more than 75 percent but not
15 more than 100 percent of State median in-
16 come for a family of the same size, the co-
17 payment shall be more than 0 but not
18 more than 2 percent of that family income,
19 toward such cost for all such children;

20 “(iii) of more than 100 percent but
21 not more than 125 percent of State me-
22 dian income for a family of the same size,
23 the copayment shall be more than 2 but
24 not more than 4 percent of that family in-

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

3 “(iv) of more than 125 percent but
4 not more than 150 percent of State me-
5 dian income for a family of the same size,
6 the copayment shall be more than 4 but
7 not more than 7 percent of that family in-
8 come, toward such cost for all such chil-
9 dren.

10 “(C) SPECIAL RULE.—The State shall not
11 require a family with a child that is eligible for
12 a Head Start program under the Head Start
13 Act (42 U.S.C. 9831 et seq.) to pay a copay-
14 ment under this paragraph for any eligible child
15 in the family.

16 “(D) INFORMATION.—The State shall
17 make publicly available and accessible, including
18 on the State’s internet Web site, the income
19 ranges in dollar amounts that correspond to
20 each of the income categories described in
21 clauses (ii), (iii), and (iv) of subparagraph (B)
22 and the copayments required from families in
23 each such category, by family size.”.

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

4 “(e) REPORT.—The lead agency shall submit to the
 5 Secretary within 40 months after the date of submission
 6 of the application described in subsection (a) a report out-
 7 lining the process by which the lead agency developed or
 8 revised the State’s systems for measuring the quality of
 9 eligible child care providers who provide services for which
 10 assistance is made available under this subchapter. The
 11 report shall include a discussion of the stakeholders, in-
 12 cluding early childhood education and development ex-
 13 perts, child care providers working in a variety of child
 14 care settings, families, and organizations representing
 15 child care directors, teachers, and other staff, from whom
 16 the lead agency sought input during this process as re-
 17 quired under subsection (c)(2)(W).”.

18 **SEC. 106. LIMITATIONS.**

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

21 (1) by striking the section heading and insert-
 22 ing the following:

23 **“SEC. 658F. LIMITATIONS.”;**

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

1 (3) in subsection (b)(1), by striking “section
2 658O(c)(6)” and inserting “section 658O(b)(5)”.

3 **SEC. 107. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
4 **CARE.**

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

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “A
9 State” and all that follows through “for activi-
10 ties” and inserting “A State that receives a
11 payment under section 658J shall reserve and
12 use the quality child care amount described in
13 paragraph (2) for activities”;

14 (i) by adding “for all age groups of el-
15 igible children” before “, and is in align-
16 ment with”; and

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

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

21 “(A) during fiscal years 2022 through
22 2024, from the payment made to the State for
23 a fiscal year, a quality child care amount equal
24 to 50 percent of the State allotment under sec-
25 tion 658O; and

1 “(B) during fiscal year 2025 and each sub-
2 sequent fiscal year, from the total of the quar-
3 terly payments made to the State for a par-
4 ticular fiscal year, a quality child care amount
5 equal to not more than 10 percent of the
6 amount made available to the State to carry out
7 this subchapter for that particular fiscal year
8 (and shall reserve and use a proportional
9 amount, from each quarterly payment made to
10 the State for that particular fiscal year).”; and
11 (2) by striking subsection (b) and inserting the
12 following:

13 “(b) ACTIVITIES.—

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

17 “(A) consist of—

18 “(i) the activities described in para-
19 graph (2);

20 “(ii) the activities described in sub-
21 paragraphs (A) and (B) of paragraph (3),
22 and the activities described in paragraph
23 (3)(C) under the circumstances described
24 in that paragraph;

1 “(iii) the activities described in para-
2 graph (4);

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

5 “(v) one or more of the activities de-
6 scribed in a subparagraph of paragraph
7 (6);

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

10 “(vii) the activities described in para-
11 graph (8);

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

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

17 “(x) at the election of the State dur-
18 ing fiscal years 2022 through 2024, not-
19 withstanding section 658F(b), construc-
20 tion, permanent improvement, or major
21 renovation, with priority for funding for
22 such activities given to underserved com-
23 munities and underserved populations as
24 identified—

1 “(I) in the Statewide assessment
2 of the State’s needs under subsection
3 (a);

4 “(II) in the child care equity re-
5 view described in section
6 658E(c)(2)(Z); and

7 “(III) as applicable, in the state-
8 wide needs assessment conducted
9 under section 9212(f) of the Every
10 Student Succeeds Act (20 U.S.C.
11 9831 note); and

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

14 “(2) SUPPLY BUILDING ACTIVITIES.—

15 “(A) IN GENERAL.—The State shall use
16 quality child care amounts to implement activi-
17 ties that increase the supply of eligible child
18 care providers, and the number of available
19 slots in the State for child care assisted under
20 this subchapter, in underserved communities
21 and for underserved populations identified as
22 described in paragraph (1)(A)(x).

23 “(B) ADMINISTRATION.—Assistance pro-
24 vided under this paragraph may be adminis-
25 tered by local or regional child care resource

1 and referral organizations, community develop-
2 ment financial institutions, or other entities
3 with which the State has contracted in the past.

4 “(C) ACTIVITIES.—Activities funded under
5 this paragraph shall include each of the fol-
6 lowing:

7 “(i) STARTUP GRANTS AND SUPPLY
8 EXPANSION GRANTS.—The State shall
9 make grants to child care providers, with
10 priority for providers seeking to provide
11 child care in underserved communities and
12 for underserved populations described in
13 subparagraph (A), to support providers in
14 paying for startup costs and assist pro-
15 viders in meeting health and safety re-
16 quirements and achieving licensure, which
17 may include conducting remodeling, ren-
18 ovation, or repair permitted under section
19 658F(b). For fiscal years 2022 through
20 2024, such grants may also be used for
21 construction, permanent improvement, or
22 major renovation, as allowable under para-
23 graph (1)(A)(x), of a building or facility.
24 The State shall ensure that all providers
25 that receive funding provided under this

1 paragraph participate, in a timely manner,
2 the State’s tiered and transparent system
3 for measuring the quality of eligible child
4 care providers described in section
5 658E(c)(2)(W)(i).

6 “(ii) TECHNICAL ASSISTANCE.—The
7 State shall provide technical assistance to
8 increase the supply of eligible child care
9 providers in the State, such as providing
10 business startup support, conducting out-
11 reach to recruit new child care providers,
12 providing support to enable providers to
13 achieve licensure (including providing sup-
14 port, for child care providers operating le-
15 gally without a child care license, to obtain
16 such license), offering orientations for new
17 child care providers, and supporting the
18 development of shared services models for
19 child care programs.

20 “(3) QUALITY IMPROVEMENT GRANTS.—A
21 State shall use quality child care amounts to im-
22 prove the quality of child care providers across the
23 State that are eligible for assistance under this sub-
24 chapter and to support child care providers in meet-
25 ing the requirements for the highest tier of the sys-

1 tem described in section 658E(c)(2)(W)(i), including
2 by—

3 “(A)(i) making quality startup grants (in-
4 cluding, in the case of providers of family,
5 friend, or neighbor care, grants for activities
6 described in paragraph (8)(H)) to child care
7 providers that are not yet participating in the
8 tiered and transparent system for measuring
9 the quality of child care providers described in
10 section 658E(c)(2)(W)(i), in a fiscal year, and
11 that commit to improve quality so that the pro-
12 vider involved can participate in that system in
13 the subsequent fiscal year; and

14 “(ii) in making those grants, by giving pri-
15 ority for funding to underserved communities
16 and for underserved populations identified as
17 described in paragraph (1)(A)(x);

18 “(B) making quality improvement grants
19 to child care providers that meet the require-
20 ments for a tier of the State tiered and trans-
21 parent system for measuring the quality of
22 child care providers described in section
23 658E(c)(2)(W)(i), in a fiscal year, and that
24 commit to improve quality so that the provider

1 involved can meet the requirements for a higher
2 tier in the subsequent 3 fiscal years; and

3 “(C) renewing a grant described in sub-
4 paragraph (A) or (B) at the end of the applica-
5 ble grant period, for a provider that dem-
6 onstrates sufficient progress in meeting the
7 goals for the grant.

8 “(4) ACTIVITIES TO ASSIST HOMELESS CHIL-
9 DREN AND CHILDREN IN FOSTER CARE.—A State
10 shall use quality child care amounts for activities
11 that improve access to child care services for home-
12 less children and children in foster care, including—

13 “(A) the use of procedures to permit im-
14 mediate enrollment of homeless children and
15 children in foster care while required docu-
16 mentation is obtained;

17 “(B) training and technical assistance on
18 identifying and serving homeless children and
19 their families, and children in foster care and
20 their foster families; and

21 “(C) specific outreach to homeless families
22 and foster families.

23 “(5) CHILD CARE RESOURCE AND REFERRAL
24 SYSTEM.—

1 “(A) IN GENERAL.—A State may use qual-
2 ity child care amounts to establish or support
3 a system of local or regional child care resource
4 and referral organizations that is coordinated,
5 to the extent determined appropriate by the
6 State, by a statewide public or private non-
7 profit, community-based or regionally based,
8 lead child care resource and referral organiza-
9 tion.

10 “(B) LOCAL OR REGIONAL ORGANIZA-
11 TIONS.—The local or regional child care re-
12 source and referral organizations supported as
13 described in subparagraph (A) shall—

14 “(i) provide parents in the State with
15 consumer education information referred
16 to in section 658E(c)(2)(E) (except as oth-
17 erwise provided in that section), concerning
18 the full range of child care and early child-
19 hood education options (including faith-
20 based child care providers, Head Start
21 agencies (including Early Head Start
22 agencies), and community-based child care
23 providers), analyzed by child care provider,
24 including child care provided during non-
25 traditional hours, child care provided

1 through dual language child care pro-
2 grams, child care provided through emer-
3 gency child care centers, and inclusive
4 child care options for children with disabil-
5 ities and infants and toddlers with disabil-
6 ities, in their political subdivisions or re-
7 gions in formats and languages accessible
8 to all parents in such political subdivisions
9 or regions, including parents of dual lan-
10 guage learners;

11 “(ii) to the extent practicable, work
12 directly with families who receive assist-
13 ance under this subchapter to offer the
14 families support and assistance, using in-
15 formation described in clause (i) in con-
16 junction with available data on parent sat-
17 isfaction and provider training and experi-
18 ence, to make an informed decision about
19 which child care providers they will use, in
20 an effort to ensure that the families are
21 enrolling their children in the most appro-
22 priate child care setting to suit their needs
23 and one that provides high-quality and in-
24 clusive care, which may include providing
25 information and data through family navi-

1 gators who can help parents make such de-
2 cisions;

3 “(iii) collect data and provide infor-
4 mation on the coordination of services and
5 supports, including services provided under
6 section 619 and part C of the Individuals
7 with Disabilities Education Act (20 U.S.C.
8 1419, 1431 et seq.), for children with dis-
9 abilities and infants and toddlers with dis-
10 abilities, and services provided under the
11 Elementary and Secondary Education Act
12 of 1965 (20 U.S.C. 6301 et seq.);

13 “(iv) collect data (and, where appro-
14 priate, enable real time collection of data)
15 and provide information on the supply of
16 and demand for child care services, by age
17 of child to the extent practicable, in polit-
18 ical subdivisions or regions within the
19 State and submit such information to the
20 State;

21 “(v) to the extent practicable, make
22 data and information described in sub-
23 clause (iv) available to parents through on-
24 line referral registry services provided by
25 the child care resource and referral organi-

1 zations or other nonprofit entities in the
2 State;

3 “(vi) work to establish partnerships
4 with public agencies and private entities,
5 including faith-based child care providers,
6 Head Start agencies (including Early Head
7 Start agencies), and community-based
8 child care providers, and incorporate the
9 effective use of data and technology to in-
10 crease the supply and quality of child care
11 services in the State;

12 “(vii) as appropriate, coordinate their
13 activities with the activities of the State
14 lead agency and local agencies that admin-
15 ister funds made available in accordance
16 with this subchapter; and

17 “(viii) work to establish partnerships
18 with the parent resource centers estab-
19 lished under section 672 of the Individuals
20 with Disabilities Education Act (20 U.S.C.
21 1472) to provide information about inclu-
22 sive child care options for children with
23 disabilities and infants and toddlers with
24 disabilities, including children with more

1 significant disabilities and children with
2 complex medical needs.

3 “(6) TRAINING AND PROFESSIONAL DEVELOP-
4 MENT.—A State shall use quality child care amounts
5 for supporting training and professional development
6 that is culturally and linguistically appropriate for
7 the child care workforce, and individuals working in
8 Head Start programs (including Early Head Start
9 programs), through activities such as those included
10 under section 658E(c)(2)(G), in addition to at least
11 one activity consisting of—

12 “(A)(i) offering training, coaching, or pro-
13 fessional development opportunities for child
14 care providers that relate to the use of evi-
15 dence-based, developmentally appropriate and
16 age-appropriate strategies to promote the social,
17 emotional, physical, adaptive, communication,
18 and cognitive development of children, including
19 key programmatic strategies; and

20 “(ii) offering specialized training for child
21 care providers caring for those populations
22 prioritized in section 658E(c)(2)(Q), homeless
23 children, children in foster care, children who
24 are dual language learners, and children with

1 disabilities and infants and toddlers with dis-
2 abilities;

3 “(B) incorporating the effective use of data
4 to guide program improvement;

5 “(C) implementing effective behavior man-
6 agement strategies (and related training), in-
7 cluding implementing multitiered systems of
8 support such as support through positive behav-
9 ior interventions and supports, and trauma in-
10 formed care, that—

11 “(i) promote positive social and emo-
12 tional development;

13 “(ii) prevent and reduce challenging
14 behaviors, including by setting consistent
15 expectations for all students; and

16 “(iii) eliminate suspensions, expul-
17 sions, and aversive behavioral interven-
18 tions;

19 “(D) providing training and outreach on
20 engaging parents and families in culturally and
21 linguistically appropriate ways, including for
22 parents and families of dual language learners,
23 to expand their knowledge, skills, and capacity
24 to become meaningful partners in supporting
25 their children’s positive development;

1 “(E) providing training corresponding to
2 the nutritional and physical activity needs of
3 children to promote healthy development;

4 “(F) providing training or professional de-
5 velopment for child care providers regarding the
6 early neurological development of children;

7 “(G) connecting staff members of child
8 care providers with available Federal and State
9 financial aid, or other resources, that would as-
10 sist the staff members in pursuing relevant
11 postsecondary training;

12 “(H) creating or expanding a statewide
13 scholarship program for child care providers to
14 obtain credentials related to child care;

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

22 “(J) providing training, scholarship oppor-
23 tunities, or apprenticeships for multilingual
24 adults in order to expand the supply of high-
25 quality, dual language child care programs;

1 “(K) supporting articulation agreements
2 between public institutions of higher education
3 that offer 2-year programs and public institu-
4 tions of higher education that offer 4-year pro-
5 grams, for the purposes of facilitating, for child
6 care providers or individuals seeking to become
7 such providers, the transfer of postsecondary
8 credits for coursework related to child care
9 from such institutions with 2-year programs to
10 such institutions with 4-year programs;

11 “(L) providing training and professional
12 development on child developmental milestones
13 and evidence-based developmental screening
14 practices that help identify infants, toddlers,
15 and children to be referred for evaluation con-
16 cerning eligibility for services under the Individ-
17 uals with Disabilities Education Act (20 U.S.C.
18 1400 et seq.);

19 “(M) undertaking efforts to improve the
20 diversity of staff of eligible providers, including
21 efforts to recruit a more diverse workforce;

22 “(N) providing training and professional
23 development related to the impact of trauma on
24 social-emotional development and to imple-
25 menting best practices in trauma-informed care;

1 “(O) providing access to trained early
2 childhood mental health consultants to help
3 child care providers and other program manage-
4 ment personnel implement mental health pro-
5 motion and prevention strategies; or

6 “(P) developing and providing professional
7 development on competencies for early child-
8 hood educators, including specialized com-
9 petencies for educators serving infants and tod-
10 dlers.

11 “(7) PROGRAMS AND SERVICES FOR INFANTS
12 AND TODDLERS.—A State shall use quality child
13 care amounts to promote and expand child care pro-
14 viders’ ability to provide developmentally appropriate
15 services for infants and toddlers through activities
16 that shall include at least one activity consisting
17 of—

18 “(A)(i) training and professional develop-
19 ment; and

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

23 “(B) improving infant and toddler compo-
24 nents within the State’s tiered and transparent
25 system for measuring the quality of child care

1 providers described in section 658E(c)(2)(W)(i),
2 for child care providers for infants and toddlers,
3 or developing infant and toddler components in
4 a State's child care licensing regulations or
5 early learning and development guidelines;

6 “(C) improving the ability of parents to ac-
7 cess transparent and easy to understand con-
8 sumer information about high-quality and inclu-
9 sive care for infants and toddlers;

10 “(D) providing supports to implement or
11 sustain partnerships with Early Head Start
12 agencies;

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

1 “(F) carrying out other activities to pro-
2 mote and expand child care providers’ ability to
3 provide developmentally appropriate services for
4 infants and toddlers.

5 “(8) INCLUSIVE CARE FOR CHILDREN WITH
6 DISABILITIES AND INFANTS AND TODDLERS WITH
7 DISABILITIES.—A State shall use quality child care
8 amounts for activities to improve the supply of eligi-
9 ble child care providers that provide high-quality and
10 inclusive care for children with disabilities and in-
11 fants and toddlers with disabilities through activi-
12 ties, which shall include—

13 “(A) offering training, professional devel-
14 opment, or coaching opportunities for child care
15 providers that relate to the use of evidence-
16 based, developmentally appropriate, and age-ap-
17 propriate strategies in inclusive settings to pro-
18 mote the social, emotional, physical, adaptive,
19 communication, and cognitive development of
20 children with disabilities and infants and tod-
21 dlers with disabilities, and their peers;

22 “(B) improving the ability of parents to
23 access transparent and easy-to-understand con-
24 sumer information about high-quality and inclu-

1 sive care for children with disabilities and in-
2 fants and toddlers with disabilities;

3 “(C) promoting and expanding child care
4 providers’ ability to provide developmentally ap-
5 propriate services for infants and toddlers with
6 disabilities through improved coordination of
7 systems, services, and other activities with the
8 providers and individuals who provide services
9 or supports under the Individuals with Disabil-
10 ities Education Act (20 U.S.C. 1400 et seq.);
11 and

12 “(D) specific outreach to families with—

13 “(i) parents with disabilities (as de-
14 fined in section 3 of the Americans with
15 Disabilities Act of 1990 (42 U.S.C.
16 12102));

17 “(ii) children with disabilities; and

18 “(iii) infants and toddlers with dis-
19 abilities.

20 “(9) OTHER ACTIVITIES.—A State shall use
21 quality child care amounts for at least one activity
22 consisting of—

23 “(A) improving upon the development or
24 implementation of the early learning and devel-
25 opmental guidelines described in section

1 658E(c)(2)(T) by providing technical assistance
2 to eligible child care providers that enhances
3 the cognitive, physical, social, and emotional de-
4 velopment, including early childhood develop-
5 ment, of participating preschool and school-
6 aged children and supports their overall well-
7 being;

8 “(B) developing, implementing, or enhanc-
9 ing the State’s tiered and transparent system
10 for measuring the quality of child care pro-
11 viders, as described in section
12 658E(c)(2)(W)(i);

13 “(C) facilitating compliance with State re-
14 quirements for inspection, monitoring, training,
15 and health and safety, and with State licensing
16 standards;

17 “(D) evaluating and assessing the quality
18 and effectiveness of child care programs (taking
19 into account whether such programs also pro-
20 vide services funded under the Head Start Act)
21 and services offered in the State, including eval-
22 uating how such programs positively impact
23 children;

24 “(E) supporting child care providers in the
25 voluntary pursuit of accreditation by a national

1 accrediting body with demonstrated, valid, and
2 reliable program standards of high quality;

3 “(F) supporting State or local efforts to
4 develop or adopt high-quality program stand-
5 ards relating to health, mental health, social
6 and emotional development, nutrition, physical
7 activity, and physical development;

8 “(G) activities that improve the availability
9 of child care services, activities that improve ac-
10 cess to child care services, and any other activ-
11 ity that the State determines to be appropriate
12 to meet the purposes of this subchapter, with
13 priority being given for services (including giv-
14 ing priority access to services through providers
15 at the highest tier of the system described in
16 section 658E(c)(2)(W)(i)) to homeless children,
17 children in foster care, children of families with
18 very low family incomes (taking into consider-
19 ation family size), children who are dual lan-
20 guage learners, children with disabilities, and
21 infants and toddlers with disabilities;

22 “(H) supporting State or local efforts to
23 expand Early Head Start-Child Care Partner-
24 ships;

1 “(I) activities to improve the quality of
2 providers of family, friend, or neighbor care,
3 which may include—

4 “(i) establishing or expanding the op-
5 eration of community- or neighborhood-
6 based family, friend, or neighbor care net-
7 works, which may include networks that
8 support the implementation of shared serv-
9 ices models;

10 “(ii) offering education, training, busi-
11 ness development, apprenticeship, men-
12 toring, or leadership development opportu-
13 nities for the providers;

14 “(iii) conducting home visits and
15 coaching that provide one-on-one advice
16 and support;

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

19 “(v) facilitating participation in the
20 program carried out under this subchapter
21 or the child and adult care food program
22 established under section 17 of the Richard
23 B. Russell National School Lunch Act (42
24 U.S.C. 1766);

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

3 “(vii) recruiting providers of family,
4 friend, or neighbor care to build the supply
5 of high-quality and inclusive care by such
6 providers;

7 “(viii) recruiting providers of family,
8 friend, or neighbor care to become eligible
9 child care providers providing child care
10 services under this subchapter, to build the
11 supply of high-quality and inclusive care by
12 providers of family, friend, or neighbor
13 care; and

14 “(ix) providing training on effective
15 instruction for children of diverse back-
16 grounds and children with disabilities, in-
17 fants and toddlers with disabilities, and
18 children who are dual language learners;

19 “(J)(i) supporting eligible child care pro-
20 viders to eliminate suspensions, expulsions, and
21 aversive behavioral interventions, including
22 through adaptations and interventions by spe-
23 cial educators, mental health consultants, and
24 other community resources, such as behavior

1 coaches, psychologists, and other appropriate
2 specialists; and

3 “(ii) promoting multitiered systems of sup-
4 port such as positive behavioral interventions
5 and supports and trauma informed care that
6 promote positive social and emotional develop-
7 ment and reduce challenging behaviors;

8 “(K) activities to improve the supply and
9 quality of child care programs and services to
10 provide high-quality and inclusive care for
11 school-age children, which may include—

12 “(i) establishing or expanding high-
13 quality and inclusive school-age child care
14 standards and a system of supports for
15 such care that align with best practices for
16 before- and after-school care and summer
17 care;

18 “(ii) enhancing professional develop-
19 ment and technical assistance opportuni-
20 ties for providers of school-age care; and

21 “(iii) improving the ability of parents
22 to access transparent and easy to under-
23 stand consumer information about high-
24 quality and inclusive school-age care;

1 “(L) establishing or expanding high-quality
2 and inclusive community- or neighborhood-
3 based family and child development centers,
4 which shall serve as resources for child care
5 providers in order to improve the quality of
6 early childhood services provided to children
7 from low-income families and to help eligible
8 child care providers improve their capacity to
9 offer high-quality and inclusive, age-appropriate
10 care;

11 “(M) activities that promote simple and
12 streamlined enrollment, in high-quality and in-
13 clusive child care services, including child care
14 services provided under this subchapter, that is
15 accessible to diverse types of families, which
16 may include activities that establish or improve
17 systems that also allow families to enroll in
18 early childhood care and education services or
19 public assistance programs available in the
20 State, such as those listed in subparagraphs
21 (E)(i)(IV) and (O) of section 658E(c)(2),
22 through use of data sharing agreements, identi-
23 fication of eligible families, and use of a single
24 or common application that is available on a
25 State Web site;

1 “(N) establishing or expanding the oper-
2 ation of community- or neighborhood-based
3 family child care networks, which may include
4 networks that support the implementation of
5 shared services models described in subpara-
6 graph (O);

7 “(O) developing or expanding the use of
8 shared services models, including through
9 shared services alliances administered by non-
10 profit organizations or child care resource and
11 referral organizations, to reduce the operational
12 burden on child care providers through the co-
13 ordination of services such as operations and
14 business support, information technology serv-
15 ices, accounting services, human resources serv-
16 ices, training and professional development, en-
17 rollment services, and quality assessment serv-
18 ices;

19 “(P) establishing, maintaining, improving,
20 or expanding a system, such as a substitute
21 pool system, to support child care providers in
22 a variety of child care settings in finding quali-
23 fied, temporary staff when needed and to
24 strengthen the pipeline for early childhood edu-
25 cators; or

1 “(Q) supporting eligible child care pro-
2 viders in providing accessible comprehensive
3 services for children and their families, includ-
4 ing—

5 “(i) screenings of vision, hearing,
6 health (including mental health), dental
7 health, and development (including early
8 literacy and math skill development), which
9 shall be coordinated with the activities car-
10 ried out through the comprehensive child
11 find system under the Individuals with
12 Disabilities Education Act (20 U.S.C.
13 1400 et seq.);

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

21 “(iii)(I) family engagement opportuni-
22 ties that take into account the language
23 spoken in the child’s home, such as parent
24 conferences (with opportunities for parents

1 to provide input about the child’s develop-
2 ment); and

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

6 “(iv)(I) nutrition services, including
7 provision of nutritious meals and snack op-
8 tions aligned with the requirements in the
9 most recent guidelines promulgated by the
10 Secretary of Agriculture for the Child and
11 Adult Care Food Program authorized
12 under section 17 of the Richard B. Russell
13 National School Lunch Act (42 U.S.C.
14 1766); and

15 “(II) regular, age-appropriate, nutri-
16 tion education for children and their fami-
17 lies;

18 “(v) programs, carried out in coordi-
19 nation with local educational agencies and
20 entities providing services and supports au-
21 thorized under part B and part C of the
22 Individuals with Disabilities Education Act
23 (20 U.S.C. 1411 et seq.; 1431 et seq.), to
24 ensure the full participation of infants and
25 toddlers with disabilities and children with

1 disabilities in high-quality and inclusive
 2 child care settings;

3 “(vi) physical activity programs
 4 that—

5 “(I) are aligned with evidence-
 6 based guidelines, such as those rec-
 7 ommended by the Health and Medi-
 8 cine Division of the National Acad-
 9 emies of Sciences, Engineering, and
 10 Medicine; and

11 “(II) take into account and ac-
 12 commodate the needs of children with
 13 disabilities and infants and toddlers
 14 with disabilities; or

15 “(vii) on-site service coordination, to
 16 the maximum extent feasible.”.

17 **SEC. 108. ADMINISTRATION AND ENFORCEMENT.**

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

20 (1) in subsection (a)—

21 (A) by striking paragraph (2) and insert-
 22 ing the following:

23 “(2) collect, publish, and make available to the
 24 public a listing of State child care standards, includ-
 25 ing licensing standards, health and safety standards,

1 and the standards described in clauses (i) and (ii) of
 2 section 658E(c)(2)(W), at least once every 3 years;”;

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

5 (C) in paragraph (4), by striking “this
 6 subchapter;” and inserting “this subchapter,
 7 which shall include information about evidence-
 8 based curricula that are developmentally appro-
 9 priate and support development across the es-
 10 sential domains of early childhood develop-
 11 ment.”; and

12 (D) by striking paragraph (5);

13 (2) in subsection (b)(2)(A), in the matter fol-
 14 lowing clause (ii), by striking “State allotment” and
 15 inserting “State payments”; and

16 (3) by striking subsection (c).

17 **SEC. 109. STATE QUARTERLY PAYMENTS.**

18 (a) IN GENERAL.—Section 658J of the Child Care
 19 and Development Block Grant Act of 1990 (42 U.S.C.
 20 9858h) is amended to read as follows:

21 **“SEC. 658J. PAYMENTS TO STATES.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) FMAP.—The term ‘FMAP’ has the mean-
 24 ing given the term in the first sentence of section

1 1905(b) of the Social Security Act (42 U.S.C.
2 1396d(b)).

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

5 “(b) PAYMENTS TO STATES.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graphs (2) and (3), the Secretary shall pay to each
8 State with an application approved under section
9 658E an amount for each quarter equal to the
10 FMAP of expenditures in the quarter—

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

14 “(B) to carry out activities under section
15 658G, subject to the limit specified in section
16 658G(a)(2).

17 “(2) CHILD CARE ASSISTANCE FOR INFANTS OR
18 TODDLERS.—The Secretary shall pay to each State
19 with such an approved application an amount for
20 each quarter equal to 90 percent of expenditures in
21 the quarter for child care assistance under the plan
22 for eligible children who are infants or toddlers.

23 “(3) ADMINISTRATION.—The Secretary shall
24 pay to each State with such an approved application
25 an amount for each quarter equal to 50 percent of

1 expenditures in the quarter for the costs of adminis-
2 tration incurred by the State in carrying out sections
3 658H and 658K, and other reasonable costs in-
4 curred by the State to administer the plan.

5 “(c) ADVANCE PAYMENT; RETROSPECTIVE ADJUST-
6 MENT.—The Secretary may make payments under this
7 section for each quarter on the basis of advance estimates
8 of expenditures submitted by the State and such other in-
9 vestigation as the Secretary may find necessary, and may
10 reduce or increase the payments as necessary to adjust
11 for any overpayment or underpayment for previous quar-
12 ters.

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

17 “(e) STATE ENTITLEMENT.—This subchapter rep-
18 resents the obligation of the Federal Government to pro-
19 vide, to States with approved applications under section
20 658E, for payments under this section from amounts pro-
21 vided under section 658B(a). Those States are entitled to
22 payments under this section.”.

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

1 **SEC. 110. REPORTING.**

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

5 (1) in paragraph (1)(B)—

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

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

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

11 (D) inserting after clause (xi) the fol-
12 lowing:

13 “(xii) whether the children receiving
14 assistance under this subchapter are either
15 children with disabilities or infants and
16 toddlers with disabilities;”;

17 (2) in paragraph (2)—

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

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

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

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

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

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

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

4 “(3) CHILD CARE EQUITY REVIEW.—

5 “(A) IN GENERAL.—Each lead agency that
6 receives funds to carry out this subchapter shall
7 complete every 3 years, prior to submitting a 3-
8 year State plan under section 658E, a child
9 care equity review, with families (including fam-
10 ilies of children with disabilities and families of
11 infants and toddlers with disabilities), child care
12 providers (including child care directors, teach-
13 ers, and staff of the providers), and community
14 leaders engaged in the review, to inform the
15 distribution of funds under section 658G.

16 “(B) CONTENTS OF REVIEW.—Each child
17 care equity review shall include data on each of
18 the following:

19 “(i) The percentage of children receiv-
20 ing child care services funded under this
21 subchapter, disaggregated by—

22 “(I) race and ethnicity;

23 “(II) family income;

24 “(III) age;

1 “(IV) status as an infant or tod-
2 dler with a disability or child with a
3 disability;

4 “(V) status as a homeless child;

5 “(VI) status as a child in foster
6 care; and

7 “(VII) status (to the extent the
8 status is known) as a dual language
9 learner.

10 “(ii) The geographic location of child
11 care providers funded under this sub-
12 chapter.

13 “(iii) The quality features of child
14 care services provided by providers funded
15 under this subchapter, compared to the
16 quality features of child care services pro-
17 vided by other child care providers, to the
18 extent possible, including data on quality
19 features such as—

20 “(I) amount of staff wages;

21 “(II) length of staff retention;

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

24 “(IV) number of provider clo-
25 sures;

1 “(V) a measure of parent satis-
2 faction; and

3 “(VI) presence of provision of in-
4 formation in languages other than
5 English.

6 “(iv) The quality features of child
7 care services received by children and
8 funded under this subchapter,
9 disaggregated (unless the disaggregation
10 involved would reveal personally identifi-
11 able information about an individual pro-
12 vider or child) by the children’s—

13 “(I) race and ethnicity;

14 “(II) family income;

15 “(III) age;

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

19 “(V) status as a homeless child;

20 “(VI) status as a child in foster
21 care; and

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

1 “(v) Whether there are inequities in
2 how quality features are distributed among
3 children served under this subchapter.

4 “(C) REPORT.—Not later than 6 months
5 after completing the review required under sub-
6 paragraph (A), the lead agency shall prepare
7 and submit to the Secretary a report, in such
8 manner as the Secretary shall require, that in-
9 cludes the data described in subparagraph (B)
10 and a summary of the State’s progress towards
11 improving equitable access to high-quality inclu-
12 sive child care for children in the State. Such
13 report shall be made publicly available on the
14 internet Web site of the lead agency.

15 “(D) FUNDING.—In using State adminis-
16 tration funds made available under section
17 658J(b)(3) to carry out the child care equity
18 review under this paragraph, a State may use
19 the funds to complete community engagement
20 activities related to the review.”.

21 **SEC. 111. PRIORITY; WEB SITE.**

22 Section 658L of the Child Care and Development
23 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—
24 (1) in subsection (a)—

1 (A) in the first sentence, by striking
2 “Committee on Education and the Workforce”
3 and inserting “Committee on Education and
4 Labor”; and

5 (B) in the third sentence, by striking
6 “658E(c)(3)(B)” and inserting “section
7 658G(b)(9)(G)”; and
8 (2) in subsection (b)(2)(B)—

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

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

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

18 (D) inserting at the end the following:

19 “(vi) information about—

20 “(I) high-quality and inclusive
21 care for children with disabilities and
22 infants and toddlers with disabilities,
23 including child care with early inter-
24 vention services under part C of the
25 Individuals with Disabilities Edu-

1 cation Act (20 U.S.C. 1431 et seq.)
 2 for infants and toddlers with disabil-
 3 ities and their families, and child care
 4 with services and supports under part
 5 B of the Individuals with Disabilities
 6 Education Act (20 U.S.C. 1431 et
 7 seq.) for children with disabilities; and
 8 “(II) other Federal, State, or
 9 local programs that may support in-
 10 clusive child care for infants and tod-
 11 dlers, or children, referred to in sub-
 12 clause (I).”.

13 **SEC. 112. NONDISCRIMINATION.**

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

16 (1) in subsection (a)—

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

19 (B) by striking paragraph (2);

20 (C) by redesignating paragraphs (3) and
 21 (4) as paragraphs (2) and (3), respectively; and

22 (D) in paragraph (3)—

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

1 (ii) by striking “(1)(B), (2), and (3)”

2 and inserting “(1)(B) and (2)”;

3 (iii) by striking “and admissions”;

4 and

5 (iv) by striking “or admissions”;

6 (2) in subsection (b)—

7 (A) in the subsection heading, by striking

8 “STATE LAW” and inserting “OTHER LAWS”;

9 (B) by striking “Nothing” and inserting
10 the following:

11 “(1) EXPENDITURES.—Nothing”; and

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

13 “(2) RIGHTS, REMEDIES, PROCEDURES, OR
14 STANDARDS.—Nothing in this subchapter shall be
15 construed to invalidate or limit rights, remedies, pro-
16 cedures, or legal standards available to victims of
17 discrimination in employment or in provision of pro-
18 grams and activities under any other Federal law or
19 law of a State or political subdivision of a State, in-
20 cluding the Civil Rights Act of 1964 (42 U.S.C.
21 2000a et seq.), title IX of the Education Amend-
22 ments of 1972 (20 U.S.C. 1681 et seq.), section 504
23 or 505 of the Rehabilitation Act of 1973 (29 U.S.C.
24 794, 794a), or the Americans with Disabilities Act
25 of 1990 (42 U.S.C. 12101 et seq.). The obligations

1 imposed by this subchapter are in addition to those
2 imposed by the Civil Rights Act of 1964 (42 U.S.C.
3 2000a et seq.), title IX of the Education Amend-
4 ments of 1972 (20 U.S.C. 1681 et seq.), section 504
5 of the Rehabilitation Act of 1973 (29 U.S.C. 794),
6 and the Americans with Disabilities Act of 1990 (42
7 U.S.C. 12101 et seq.).”; and

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

9 “(c) NONDISCRIMINATION IN PROGRAMS AND AC-
10 TIVITIES.—

11 “(1) IN GENERAL.—Except as described in
12 paragraph (2), no person in the United States shall,
13 on the basis of actual or perceived race, color, reli-
14 gion, national origin, sex (including sexual orienta-
15 tion and gender identity), or disability, be excluded
16 from participation in, be denied the benefits of, or
17 be subjected to discrimination under any program or
18 activity funded in whole or in part, with funds made
19 available under this subchapter or with amounts ap-
20 propriated for grants, contracts, or certificates ad-
21 ministered with such funds.

22 “(2) PREFERENCE IN ENROLLMENT.—If assist-
23 ance provided under this subchapter, and any other
24 Federal or State program, amounts to less than 80
25 percent of the operating budget of a child care pro-

1 vider that receives such assistance, a child care pro-
 2 vider may select children for child care slots that are
 3 not funded directly with assistance provided under
 4 this subchapter because such children or their family
 5 members participate on a regular basis in other ac-
 6 tivities of the organization that owns or operates
 7 such provider.”.

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

9 (a) IN GENERAL.—Section 658O of the Child Care
 10 and Development Block Grant Act of 1990 (42 U.S.C.
 11 9858m) is amended—

12 (1) by striking the heading and inserting the
 13 following:

14 **“SEC. 658O. INDIAN TRIBES, TERRITORIES, AND NATIONAL**
 15 **ACTIVITIES.”;**

16 (2) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) by striking “not to exceed one half
 19 of 1 percent of the amount appropriated
 20 under this subchapter” and inserting “a
 21 portion of the amount appropriated under
 22 section 658B(b)”;

23 (ii) by striking “to be allotted” and all
 24 that follows and inserting the following:
 25 “to be allotted by the Secretary—

1 “(A) in accordance with the respective
2 needs of those territories; and

3 “(B) taking into consideration—

4 “(i) the population of eligible children,
5 and the population of eligible children from
6 low-income families, to be served by the
7 territory involved; and

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

10 (B) in paragraph (2)—

11 (i) by striking “(2) INDIANS TRIBES”
12 and all that follows through “658B in”
13 and inserting “(2) INDIAN TRIBES.—The
14 Secretary shall reserve the remainder of
15 the amount appropriated under section
16 658B(b) in”;

17 (ii) by striking “subsection (c)” and
18 inserting “subsection (b)”;

19 (iii) by striking subparagraph (B);

20 (C) in paragraph (3), by striking “reserve
21 up to \$1,500,000 of the amount appropriated
22 under this subchapter” and inserting “reserve
23 and use such sums as the Secretary may deter-
24 mine to be necessary of the amount appro-
25 priated under section 658B(a)”;

1 (D) in paragraph (4), by striking “reserve
2 up to $\frac{1}{2}$ of 1 percent of the amount appro-
3 priated under this subchapter” and inserting
4 “reserve and use such sums as the Secretary
5 may determine to be necessary of the amount
6 appropriated under section 658B(a)”; and

7 (E) in paragraph (5), by striking “reserve
8 $\frac{1}{2}$ of 1 percent of the amount appropriated
9 under this subchapter” and inserting “reserve
10 and use such sums as the Secretary may deter-
11 mine to be necessary of the amount appro-
12 priated under section 658B(a)”;
13 (3) by striking subsection (b);
14 (4) in subsection (c)—

15 (A) in paragraph (3)—

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

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

20 (iii) by adding at the end the fol-
21 lowing:

22 “(C)(i) the population of Indian or Native
23 Hawaiian eligible children, and the population
24 of Indian or Native Hawaiian eligible children

1 from low-income families, to be served by the
 2 Indian tribe or tribal organization;

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

5 “(iii) whether awarding a grant or contract
 6 to the tribe or organization will increase the
 7 number of programs that reach standards de-
 8 scribed in subsection (a)(1)(B)(iii);”;

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

10 (C) by redesignating paragraphs (5) and
 11 (6) as paragraphs (4) and (5), respectively;

12 (5) by redesignating subsection (c) as sub-
 13 section (b);

14 (6) by striking subsection (d);

15 (7) in subsection (e)—

16 (A) by striking paragraphs (1) through
 17 (3);

18 (B) by striking “(e) REALLOTMENTS.—”
 19 and all that follows through “Any” and insert-
 20 ing “(e) REALLOTMENTS.—Any”; and

21 (C) by striking “subsection (c)” each place
 22 it appears and inserting “subsection (b)”; and
 23 (8) by redesignating subsections (e) and (f) as
 24 subsections (c) and (d), respectively.

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

3 **SEC. 114. DEFINITIONS.**

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

6 (1) in paragraph (2)—

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

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

11 (2) in paragraph (3)—

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

13 (B) by redesignating subparagraphs (C)
14 and (D) as subparagraphs (B) and (C), respec-
15 tively;

16 (3) in paragraph (4)—

17 (A) in subparagraph (B), by striking “85
18 percent” and inserting “150 percent (100 per-
19 cent for fiscal year 2022, 115 percent for fiscal
20 year 2023, and 130 percent for fiscal year
21 2024)”; and

22 (B) by striking subparagraph (C) and in-
23 serting the following:

24 “(C) who—

1 “(i) resides with a parent or parents
2 who are participating in an eligible activ-
3 ity;

4 “(ii) is receiving, or needs to receive,
5 protective services and resides with a par-
6 ent or parents not described in clause (i),
7 which shall include homeless children, chil-
8 dren in foster care, and children who are
9 in contact with child protective services; or

10 “(iii) resides with a parent or parents
11 who are more than 65 years of age.”; and
12 (4) by adding at the end the following:

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

16 “(A) full-time or part-time employment, in-
17 cluding self-employment;

18 “(B) job search activities;

19 “(C) job training;

20 “(D) secondary, postsecondary, or adult
21 education, such as education through a pro-
22 gram of high school classes, a course of study
23 at an institution of higher education, classes to-
24 ward an equivalent of a high school diploma

1 recognized by State law, or English as a Second
2 Language classes;

3 “(E) health treatment (including mental
4 health and substance use treatment) for a con-
5 dition that prevents the individual from partici-
6 pating in other eligible activities;

7 “(F) activities to prevent child abuse and
8 neglect, or family violence prevention or inter-
9 vention activities;

10 “(G) employment and training activities
11 under the supplemental nutrition assistance
12 program established under the Food and Nutri-
13 tion Act of 2008 (7 U.S.C. 2011 et seq.);

14 “(H) work activities under the program of
15 block grants to States for temporary assistance
16 for needy families under part A of title IV of
17 the Social Security Act (42 U.S.C. 601 et seq.);
18 and

19 “(I) taking leave under the Family and
20 Medical Leave Act of 1993 (29 U.S.C. 2601 et
21 seq.) (or equivalent provisions for Federal em-
22 ployees), a State or local paid or unpaid family,
23 medical, or disability leave program, or a pro-
24 gram of employer-provided leave.

25 “(17) FOSTER CARE.—

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

11 “(B) RULE.—A child shall be considered
12 to be in foster care in accordance with subpara-
13 graph (A) regardless of—

14 “(i) whether the foster care facility is
15 licensed and payments are made by the
16 State, tribal, or local agency for the care of
17 the child;

18 “(ii) whether adoption subsidy pay-
19 ments are being made prior to the finaliza-
20 tion of an adoption; or

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

24 “(18) HIGH-QUALITY AND INCLUSIVE CARE.—
25 The term ‘high-quality and inclusive’, used with re-

1 spect to care (including child care), means care pro-
 2 vided by an eligible child care provider—

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

7 “(B) for whom the percentage of children
 8 served by the provider who are children with
 9 disabilities and infants and toddlers with dis-
 10 abilities reflects the prevalence of children with
 11 disabilities and infants and toddlers with dis-
 12 abilities among children within the State; and

13 “(C) that provides care for children with
 14 disabilities and infants and toddlers with dis-
 15 abilities alongside children who are—

16 “(i) not infants and toddlers with dis-
 17 abilities; and

18 “(ii) not children with disabilities.

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

23 “(20) INFANT OR TODDLER WITH A DIS-
 24 ABILITY.—The term ‘infant or toddler with a dis-
 25 ability’ has the meaning given the term in section

1 632 of the Individuals with Disabilities Education
2 Act (20 U.S.C. 1432).

3 “(21) KEY PROGRAMMATIC STRATEGIES.—The
4 term ‘key programmatic strategies’ means strategies
5 related to—

6 “(A) nutrition and physical activity;

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

9 “(C) the integration and utilization of in-
10 structional methods to assist learning across
11 disciplines, including methods that use the arts,
12 language, literacy, mathematics, science, and
13 social studies.”.

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

15 Section 658Q(b) of the Child Care and Development
16 Block Grant Act of 1990 (42 U.S.C. 9858o(b)) is amend-
17 ed by striking “in a manner—” and all that follows
18 through “to disfavor” and inserting “in a manner to dis-
19 favor”.

20 **SEC. 116. MISCELLANEOUS PROVISIONS.**

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

23 (1) by striking “Notwithstanding” and insert-
24 ing the following:

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

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

4 “(b) RULE OF CONSTRUCTION FOR COLLECTIVE
5 BARGAINING.—Nothing in this subchapter shall be con-
6 strued to alter, diminish, or otherwise affect the rights,
7 remedies, and procedures afforded to individuals employed
8 by schools or local educational agencies, or teachers and
9 other staff employed by child care providers—

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

12 “(2) under the terms of collective bargaining
13 agreements, memoranda of understanding, or other
14 agreements between schools, agencies, or providers
15 that are referred to in this subsection, and their em-
16 ployees.

17 “(c) SPECIAL RULES FOR ELIGIBLE CHILDREN.—
18 For purposes of determining whether a child is an eligible
19 child for purposes of this subchapter—

20 “(1) a State may not use eligibility require-
21 ments that are more restrictive than the require-
22 ments specified in this subchapter, including section
23 658P;

24 “(2) for a child of a parent who seeks to meet
25 the requirement of section 658P(4)(C) by partici-

1 pating in an education program as an eligible activ-
 2 ity (as defined in section 658P), that parent shall
 3 not be required to participate in any additional eligi-
 4 ble activity (as so defined), or be required to hold
 5 any minimum grade point average, to meet that re-
 6 quirement; and

7 “(3) a child who became an eligible child when
 8 the child’s family met the income requirements of
 9 section 658P(4)(B) for an initial fiscal year shall be
 10 considered to remain an eligible child for the subse-
 11 quent fiscal year if—

12 “(A) the State median income for that fis-
 13 cal year drops below the State median income
 14 for the initial fiscal year, and as a result such
 15 child’s family income now exceeds 150 percent
 16 (or the corresponding percentage specified in
 17 section 658P(4)(B)) of the State median in-
 18 come; and

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

21 “(d) NONPOSTSECONDARY EDUCATION PROGRAM.—
 22 For purposes of section 401 of the Act entitled ‘An Act
 23 to provide for reconciliation pursuant to section 201(a)(1)
 24 of the concurrent resolution on the budget for fiscal year
 25 1997’, approved August 22, 1996, the program carried out

1 under this subchapter shall be considered to be a program
2 of nonpostsecondary education.”.

3 **SEC. 117. CONFORMING AMENDMENT.**

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

7 **“Subchapter C—Child Care and Development**
8 **Assistance”.**

9 **SEC. 118. TRANSITION RULES.**

10 (a) IN GENERAL.—During fiscal years 2022 through
11 2024, the Secretary of Health and Human Services—

12 (1) shall make allotments and payments to
13 States, territories, and Indian tribes under section
14 658J and 658O of the Child Care and Development
15 Block Grant Act of 1990 (42 U.S.C. 9858h,
16 9858m), as in effect immediately before the date of
17 enactment of this Act, subject to subsection (b);

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

21 (3) shall carry out section 658E(c)(3) of that
22 Act (42 U.S.C. 9858e(c)(3)) by applying subpara-
23 graph (C) of that section, as in effect immediately
24 before the date of enactment of this Act.

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

SEC. 119. EFFECTIVE DATE.

This title, and the amendments made by this title, take effect on October 1, 2021, except as otherwise provided 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).

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

3 (A) age 3, 4, or 5;

4 (B) not yet enrolled in kindergarten; and

5 (C) a member of a family with a family in-
6 come that does not exceed 150 percent of the
7 State median income for a family of the same
8 size.

9 (4) ELIGIBLE PROVIDER.—The term “eligible
10 provider” includes a local educational agency, Head
11 Start program funded under the Head Start Act (42
12 U.S.C. 9831 et seq.), licensed child care center, li-
13 censed family child care home, and community- or
14 neighborhood-based family child care network,
15 that—

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

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

22 (5) FOSTER CARE.—

23 (A) IN GENERAL.—The term “foster care”
24 means 24-hour substitute care for a child
25 placed away from the child’s parents or guard-

1 ians and for whom the State agency has place-
2 ment and care responsibility. The term includes
3 care through a placement in a foster family
4 home, a foster home of a relative, a group
5 home, an emergency shelter, a residential facil-
6 ity, a child care institution, or a pre-adoptive
7 home.

8 (B) RULE.—A child shall be considered to
9 be in foster care in accordance with subpara-
10 graph (A) regardless of—

11 (i) whether the foster care facility is
12 licensed and payments are made by the
13 State or local agency for the care of the
14 child;

15 (ii) whether adoption subsidy pay-
16 ments are being made prior to the finaliza-
17 tion of an adoption; or

18 (iii) whether there are Federal match-
19 ing funds for any payments described in
20 clause (i) or (ii) that are made.

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

23 (7) HIGH-NEED SCHOOL.—The term “high-need
24 school” means an elementary school in which not
25 less than 50 percent of the enrolled students are

1 children from low-income families, as defined in sec-
2 tion 2221(b)(3)(B) of the Elementary and Sec-
3 ondary Education Act of 1965 (20 U.S.C.
4 6641(b)(3)(B)).

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

9 (9) HOMELESS CHILD.—The term “homeless
10 child” means an individual who is a homeless child
11 or youth under section 725 of the McKinney-Vento
12 Homeless Assistance Act (42 U.S.C. 11434).

13 (10) INFANT OR TODDLER WITH A DIS-
14 ABILITY.—The term “infant or toddler with a dis-
15 ability” has the meaning given the term in section
16 632 of the Individuals with Disabilities Education
17 Act (20 U.S.C. 1432).

18 (11) KEY PROGRAMMATIC STRATEGIES.—The
19 term “key programmatic strategies” means strate-
20 gies related to—

21 (A) nutrition and physical activity;

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

24 (C) the integration and utilization of in-
25 structional methods to assist learning across

1 disciplines, including methods that use the arts,
2 language, literacy, mathematics, science, and
3 social studies.

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

8 (13) OUTLYING AREAS.—The term “outlying
9 areas” means the United States Virgin Islands,
10 Guam, American Samoa, and the Commonwealth of
11 the Northern Mariana Islands.

12 (14) POVERTY LINE.—The term “poverty line”
13 means the official poverty line (as defined by the Of-
14 fice of Management and Budget)—

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

21 (B) adjusted for family size.

22 (15) SPECIALIZED INSTRUCTIONAL SUPPORT
23 PERSONNEL.—The term “specialized instructional
24 support personnel” has the meaning given such term

1 in section 8101(47)(A) of the Elementary and Sec-
2 ondary Education Act (20 U.S.C. 7801(47)).

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

6 (b) ALLOTMENTS TO STATES.—

7 (1) RESERVATION.—From the total amount ap-
8 propriated to carry out this section for a fiscal year,
9 the Secretary of Health and Human Services, in col-
10 laboration with the Secretary of Education, shall—

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

14 (B) reserve $\frac{1}{2}$ of 1 percent for the outlying
15 areas to be distributed among the outlying
16 areas on the basis of their relative need, as de-
17 termined by the Secretary of Health and
18 Human Services in accordance with the pur-
19 poses of this section;

20 (C) reserve $\frac{1}{2}$ of 1 percent for eligible
21 local entities that serve children in families who
22 are engaged in migrant or seasonal agricultural
23 labor;

24 (D) reserve not more than 1 percent or
25 \$30,000,000, whichever amount is less, for na-

1 tional activities, including administration, tech-
2 nical assistance, and evaluation; and

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

6 (2) ALLOTMENT FORMULA.—

7 (A) IN GENERAL.—Except as provided in
8 subparagraph (B), from the total amount ap-
9 propriated to carry out this section for a fiscal
10 year that remains after making the reservations
11 under paragraph (1), the Secretary of Health
12 and Human Services, in collaboration with the
13 Secretary of Education, shall allot to each State
14 for the fiscal year that has an application ap-
15 proved under subsection (d), for the purpose of
16 providing grants to eligible providers to offer
17 high-quality preschool, an amount that bears
18 the same ratio to such remainder as the num-
19 ber of children who are below the age of 6 who
20 reside within the State and whose families have
21 an income at or below 200 percent of the pov-
22 erty line for the most recent year for which sat-
23 isfactory data are available, bears to the num-
24 ber of such children who reside in all such

1 States for such most recent fiscal year for
2 which satisfactory data are available.

3 (B) MINIMUM ALLOTMENT AMOUNT.—No
4 State receiving an allotment under subpara-
5 graph (A) for a fiscal year shall receive less
6 than $\frac{1}{2}$ of 1 percent of the total amount allot-
7 ted under such subparagraph for the fiscal
8 year.

9 (c) STATE RESERVATION.—

10 (1) IN GENERAL.—From amounts reserved
11 under subsection (b)(1)(E), a State shall carry out
12 the State leadership activities described in this sub-
13 section to improve equitable access to high-quality
14 preschool programs operated by eligible providers
15 across the State, including programs in high-need
16 local educational agencies, which shall include—

17 (A) ongoing professional development op-
18 portunities for school principals, school super-
19 intendents, teachers, specialized instructional
20 support personnel, and teacher assistants to im-
21 prove their practices, which may include activi-
22 ties that—

23 (i) prepare elementary schools to cre-
24 ate or expand preschool classrooms, includ-
25 ing training on developmentally appro-

1 priate practices and preparing classrooms
2 with materials and equipment for young
3 children;

4 (ii) promote children's development
5 across all of the essential domains of early
6 learning and development;

7 (iii) improve curricula and teacher-
8 child interaction;

9 (iv) incorporate the inclusion of key
10 programmatic strategies into classroom in-
11 struction;

12 (v) increase effective family engage-
13 ment, including for families of dual lan-
14 guage learners;

15 (vi) provide effective instruction for
16 children of diverse backgrounds and chil-
17 dren with disabilities and dual language
18 learners;

19 (vii) improve social and emotional de-
20 velopment;

21 (viii) incorporate positive behavioral
22 interventions and supports and principles
23 of trauma-informed care;

24 (ix) align preschool curricula with ele-
25 mentary school standards and curricula;

1 (x) engage teachers, teacher leaders,
2 early childhood educators, and other pro-
3 fessionals in joint professional learning op-
4 portunities, as described in section
5 2103(b)(3)(G) of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C.
7 6613(b)(3)(G)); and

8 (xi) improve the transition of children
9 from preschool to elementary school;

10 (B) completing the Preschool Equity Re-
11 view and distributing grants as described in
12 paragraph (2) in accordance with the results of
13 such review;

14 (C) expanding or establishing scholarships,
15 counseling, and compensation initiatives to
16 cover the cost of tuition, fees, materials, trans-
17 portation, and release time for staff of eligible
18 providers to pursue credentials and degrees, in-
19 cluding bachelor's degrees; and

20 (D) partnerships between institutions of
21 higher education and eligible providers, includ-
22 ing high-need local educational agencies, to im-
23 prove access to early childhood educators, in-
24 cluding educators serving dual language learn-
25 ers and children with disabilities.

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

3 (A) IN GENERAL.—From amounts reserved
4 under subsection (b)(1)(E), a State shall make
5 grants to rectify resource inequities in preschool
6 programs and expand access to high-quality
7 preschool programs for all children, including
8 children described in items (aa) through (dd) of
9 subparagraph (B)(ii)(I). Such grants shall be
10 awarded to high-need local educational agencies
11 in order to improve their capacity to offer high-
12 quality preschool programs for eligible children,
13 which may include paying the costs of renova-
14 tion.

15 (B) PRESCHOOL EQUITY REVIEW.—

16 (i) IN GENERAL.—Each State making
17 grants under subparagraph (A) shall com-
18 plete an annual Preschool Equity Review
19 that informs the distribution of funds
20 under such subparagraph.

21 (ii) CONTENTS OF REVIEW.—Each
22 Preschool Equity Review shall include data
23 on—

24 (I) the percentage of children
25 participating in preschool programs

1 funded under this section,
2 disaggregated by status as—

3 (aa) children with disabil-
4 ities;

5 (bb) low-income children;

6 (cc) children from major
7 ethnic and racial groups; and

8 (dd) dual language learners;

9 (II) the geographic location of
10 preschool programs funded under this
11 section;

12 (III) the quality of preschool pro-
13 grams funded under the section, com-
14 pared to such programs not funded
15 under this section; and

16 (IV) resource inequities between
17 preschool programs, including pro-
18 grams serving a high percentage of
19 children described in items (aa)
20 through (dd) of subclause (I).

21 (d) STATE APPLICATION.—In order to receive an al-
22 lotment under this section, the Governor of a State shall
23 submit an application at such time and in such manner
24 as the Secretary of Health and Human Services, in col-

1 laboration with the Secretary of Education, may require.

2 Such application shall include each of the following:

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

7 (A) How the State plans to distribute
8 funds from the State's allotment to eligible pro-
9 viders, including an assurance that the Gov-
10 ernor will designate a State-level entity (such as
11 an agency or joint interagency office) for the
12 administration of the grant.

13 (B) An explanation of how the State will
14 ensure that eligible providers receiving funds
15 under this section will use research-based cur-
16 ricula that are aligned with State early learning
17 standards that are developmentally appropriate
18 and include, at a minimum, each of the fol-
19 lowing domains:

20 (i) Language development.

21 (ii) Literacy.

22 (iii) Mathematics.

23 (iv) Science.

24 (v) Creative arts.

25 (vi) Social and emotional development.

1 (vii) Approaches to learning.

2 (viii) Physical development.

3 (C) How the State will coordinate services
4 provided under this section with services and
5 supports provided under the Child Care and
6 Development Block Grant Act of 1990 (42
7 U.S.C. 9858 et seq.), section 619 and part C of
8 the Individuals with Disabilities Education Act
9 (20 U.S.C. 1419; 1431 et seq.), the Head Start
10 Act (42 U.S.C. 9831 et seq.), the Preschool De-
11 velopment Grants program under section 9212
12 of the Every Student Succeeds Act (42 U.S.C.
13 9831 note), the Elementary and Secondary
14 Education Act of 1965 (20 U.S.C. 6301 et
15 seq.), the McKinney-Vento Homeless Assistance
16 Act (42 U.S.C. 11301 et seq.) and the mater-
17 nal, infant, and early childhood home visiting
18 programs assisted under section 511 of the So-
19 cial Security Act (42 U.S.C. 711).

20 (D) How the State will improve transitions
21 from early childhood education to elementary
22 school, including how the State will ensure that
23 preschool programs—

1 (i) share relevant data between early
2 childhood educators and kindergarten
3 teachers;

4 (ii) share instructional, behavioral,
5 and other information between early child-
6 hood educators and kindergarten teachers
7 to best support the transition of children
8 with disabilities who may need services and
9 supports provided under part B of the In-
10 dividuals with Disabilities Education Act
11 (42 U.S.C. 1411 et seq.) into general edu-
12 cation settings; and

13 (iii) share information about the pro-
14 ficiency of dual language learners in both
15 English and their native language.

16 (E) How the State will provide ongoing
17 monitoring and support and conduct evalua-
18 tions of preschool programs funded under this
19 section.

20 (F) How the State has reviewed the stra-
21 tegic plan developed under section 9212 of the
22 Every Student Succeeds Act (42 U.S.C. 9831
23 note) or engaged in a similar strategy to facili-
24 tate coordination of existing early learning and
25 care programs in a mixed delivery system.

1 (G) If the State funds full-day kinder-
2 garten programs, but such full-day kinder-
3 garten programs are not available to all chil-
4 dren who are eligible to attend such programs
5 in the State, how the State plans to increase
6 the number of children in the State who are en-
7 rolled in full-day kindergarten programs and a
8 strategy to implement such a plan.

9 (H) If the State does not fund full-day
10 kindergarten programs, a description of how
11 the State plans to establish such programs to
12 strengthen the educational continuum for chil-
13 dren who will be involved in the State's high-
14 quality preschool program supported under this
15 title.

16 (2) An assurance that all preschool programs
17 funded under this section will—

18 (A) offer programming that meets the du-
19 ration requirements in the program perform-
20 ance standards applicable to Head Start pro-
21 grams described in section 641A of the Head
22 Start Act (42 U.S.C. 9836a);

23 (B) adopt policies and practices to provide
24 expedited enrollment, including prioritization,
25 to—

- 1 (i) homeless children;
- 2 (ii) children in foster care; and
- 3 (iii) migratory children;
- 4 (C) conduct outreach to families of—
 - 5 (i) homeless children;
 - 6 (ii) dual language learners;
 - 7 (iii) children in foster care;
 - 8 (iv) children with disabilities;
 - 9 (v) infants and toddlers with disabili-
 - 10 ities; and
 - 11 (vi) migratory children;
- 12 (D) provide salaries to staff of eligible pro-
- 13 viders that are on the same pay scale as ele-
- 14 mentary school educators with similar creden-
- 15 tials and experience;
- 16 (E) require high staff qualifications for
- 17 teachers, including, at a minimum, meeting the
- 18 staff qualifications included in the quality
- 19 standards of the National Institute for Early
- 20 Education Research that are in effect on the
- 21 date of enactment of this Act by not later than
- 22 4 years after the date the State first receives an
- 23 allotment under this section; and
- 24 (F) determine whether children are dual
- 25 language learners and provide services to en-

1 sure the full and effective participation of such
2 learners and their families.

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

7 (4) An assurance that the State will meet the
8 requirements of clauses (ii) and (iii) of section
9 658E(c)(2)(T) of the Child Care and Development
10 Block Grant Act of 1990 (42 U.S.C.
11 9858c(c)(2)(T)(ii) and (iii)).

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

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

21 (g) REPORTING.—

22 (1) IN GENERAL.—Each State that receives an
23 allotment under subsection (b)(2) shall prepare an
24 annual report, in such manner and containing such

1 information as the Secretary of Health and Human
2 Services may reasonably require.

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

5 (A) a description of the manner in which
6 the State has used the funds made available
7 through the allotment and a report of the ex-
8 penditures made with the funds;

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

12 (C) an evaluation of the State’s progress
13 towards improving equitable access to high-
14 quality preschool, as measured by the Preschool
15 Equity Review described in subsection
16 (c)(2)(B), disaggregated by the categories
17 under subsection (c)(2)(B)(ii)(I);

18 (D) the number and percentage of children
19 in the State participating in eligible preschool
20 programs, disaggregated by race, ethnicity,
21 family income, child age, disability, and whether
22 the children are homeless children, children in
23 foster care, or dual language learners;

24 (E) data on the number and percentage of
25 children in the State participating in public kin-

1 dergarten programs, disaggregated by race,
 2 family income, child age, disability, and whether
 3 the children are homeless children, children in
 4 foster care, or dual language learners, with in-
 5 formation on whether such programs are of-
 6 fered—

7 (i) for a full-day; and

8 (ii) at no cost to families;

9 (F) data on the kindergarten readiness of
 10 children across the State; and

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

15 (h) MAINTENANCE OF EFFORT.—

16 (1) IN GENERAL.—If a State reduces its com-
 17 bined fiscal effort per child for its State preschool
 18 program or State supplemental assistance funds for
 19 Head Start programs assisted under the Head Start
 20 Act (42 U.S.C. 9831 et seq.) for any fiscal year that
 21 a State receives an allotment under subsection
 22 (b)(2) relative to the previous fiscal year, the Sec-
 23 retary of Health and Human Services, in collabora-
 24 tion with the Secretary of Education, shall reduce
 25 support for such State under such subsection by the

1 same amount as the decline in State effort for such
2 fiscal year.

3 (2) WAIVER.—The Secretary of Health and
4 Human Services, in collaboration with the Secretary
5 of Education, may waive the requirements of para-
6 graph (1) if—

7 (A) the Secretaries determine that a waiv-
8 er would be appropriate due to a precipitous de-
9 cline in the financial resources of a State as a
10 result of unforeseen economic hardship or a
11 natural disaster that has necessitated across-
12 the-board reductions in State services during
13 the 5-year period preceding the date of the de-
14 termination, including for early childhood edu-
15 cation programs; or

16 (B) due to the circumstances of a State re-
17 quiring reductions in specific programs, includ-
18 ing early childhood education, the State pre-
19 sents to the Secretaries a justification and dem-
20 onstration why other programs could not be re-
21 duced and how early childhood programs in the
22 State will not be disproportionately harmed by
23 such State action.

24 (i) SUPPLEMENT NOT SUPPLANT.—Funds received
25 under this section shall be used to supplement and not

1 supplant other Federal, State, and local public funds ex-
 2 pended on early childhood education programs in the
 3 State.

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

8 **TITLE III—HEAD START** 9 **EXTENDED DURATION**

10 **SEC. 301. EXTENDED DURATION.**

11 (a) IN GENERAL.—The Head Start Act (42 U.S.C.
 12 9801 et seq.) is amended—

13 (1) by redesignating section 657C (42 U.S.C.
 14 9852c) as section 657D; and

15 (2) by inserting after section 657B (42 U.S.C.
 16 9852b) the following:

17 **“SEC. 657C. EXTENDED DURATION.**

18 “(a) IN GENERAL.—The Secretary shall make grants
 19 to Head Start agencies (including Early Head Start agen-
 20 cies) funded under this subchapter to enable such agen-
 21 cies—

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

24 “(2) in the case of a migrant and seasonal
 25 Head Start agency, to provide access to additional

1 service hours to ensure continuous Head Start serv-
2 ices as determined by the Secretary; or

3 “(3) in the case of a Head Start agency (in-
4 cluding an Early Head Start agency) that already
5 meets the full-day, full-year services needs within its
6 community, to enhance the quality of Head Start
7 services (including Early Head Start services) pro-
8 vided to children served by such agency.

9 “(b) APPLICATION.—

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

15 “(A) evidence of—

16 “(i) the number and percentage of
17 slots—

18 “(I) in the agency’s Head Start
19 center-based programs (that are not
20 Early Head Start programs)—

21 “(aa) that are currently
22 funded (as of the date of submis-
23 sion of the application); and

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

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

6 “(aa) that are currently
7 funded (as of that date); and

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

11 “(ii) the number and percentage of
12 slots, in the agency’s Head Start family
13 child care programs—

14 “(I) that are currently funded
15 (as of that date); and

16 “(II) in which services are pro-
17 vided for at least the equivalent of
18 1380 hours per year;

19 “(B) a description of an approach, using
20 the current community-wide strategic planning
21 and needs assessment described in section
22 640(g)(1)(C) of the Head Start Act (42 U.S.C.
23 9835(g)(1)(C)) and current program schedule
24 (current as of the date of submission of the ap-
25 plication), that transitions all of the agency’s

1 Head Start programs to a full school day, full
2 school year program schedule; and

3 “(C) a budget justification that estimates
4 the supplemental funding necessary to provide
5 for incremental ongoing operating costs for the
6 extended hours of service under such a program
7 schedule for the current enrollment in the agen-
8 cy’s Head Start programs.

9 “(2) EXCEPTIONS.—

10 “(A) MIGRANT AND SEASONAL HEAD
11 START.—

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

23 “(ii) PRIORITY.—In making grants to
24 applicants described in clause (i), the Sec-
25 retary shall give priority to a migrant and

1 seasonal Head Start agency operating for
2 fewer than 8 months per year.

3 “(B) FULL-DAY, FULL-YEAR HEAD START
4 AGENCIES.—

5 “(i) IN GENERAL.—A Head Start
6 agency (including an Early Head Start
7 agency) that certifies to the Secretary that
8 it is meeting the full-day, full-year need
9 within its community may apply for a
10 grant to enhance the quality of services
11 provided to children enrolled in its Head
12 Start program (including its Early Head
13 Start program) in accordance with sub-
14 section (c)(2).

15 “(ii) APPLICATION.—A Head Start
16 agency (including Early Head Start agen-
17 cy) that meets the requirements of clause
18 (i) shall submit an application, which shall
19 include—

20 “(I) the proposed uses of funds
21 in accordance with subsection (c)(2);
22 and

23 “(II) how such uses of funds re-
24 late to the community-wide strategic

1 planning and needs assessment de-
2 scribed under section 640(g)(1)(C).

3 “(c) USE OF FUNDS.—

4 “(1) EXTENDED DURATION.—A Head Start
5 agency that meets the requirements of paragraph
6 (1) or (2) of subsection (a) receiving a grant under
7 this section shall use the grant funds to cover the
8 costs associated with extending those hours of serv-
9 ice for the current enrollment, such as additional
10 costs for—

11 “(A) the purchase, rental, renovation, and
12 maintenance of additional facilities;

13 “(B) ongoing purchases of classroom sup-
14 plies;

15 “(C) staff providing services during the ex-
16 tended hours; and

17 “(D) professional development to staff
18 transitioning to providing services during the
19 extended hours.

20 “(2) ENHANCING PROGRAM QUALITY.—A Head
21 Start agency (including an Early Head Start agen-
22 cy) that meets the requirements of subsection (a)(3)
23 shall use funds for the activities authorized under
24 section 640(a)(5)(B).

1 “(3) EXCEPTION.—The Head Start agency
2 shall not use the grant funds to expand the number
3 of children served in the Head Start program (in-
4 cluding the Early Head Start program) of the agen-
5 cy.

6 “(d) RESERVATIONS.—

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

10 “(A) for making grants for the activities
11 described in subsection (c)(1)(A), reserve
12 \$4,000,000,000 of the funds appropriated for
13 fiscal year 2022; and

14 “(B) for making grants for the activities
15 described in any of subparagraphs (B) through
16 (D) of subsection (c)(1), reserve—

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

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

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

23 “(2) PRIORITY.—The Secretary shall prioritize
24 Head Start agencies (including Early Head Start

1 agencies) that are applying to use funds to carry out
 2 the activities described in subsection (a)(1).

3 “(3) MIGRANT OR SEASONAL HEAD START PRO-
 4 GRAMS.—From the amount appropriated to carry
 5 out this section for a fiscal year and reserved under
 6 paragraph (1)(B), the Secretary shall reserve 4.5
 7 percent for migrant or seasonal Head Start pro-
 8 grams.

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated to carry out this sec-
 11 tion—

12 “(1) \$4,490,000,000 for fiscal year 2022;

13 “(2) \$610,000,000 for fiscal year 2023; and

14 “(3) \$730,000,000 for fiscal year 2024.

15 “(f) DEFINITIONS.—In this section:

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

21 “(2) MIGRANT AND SEASONAL HEAD START
 22 AGENCY.—The term ‘migrant and seasonal Head
 23 Start agency’ means an agency that is funded under
 24 this subchapter to provide a migrant and seasonal
 25 Head Start program.”.

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

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

6 (2) in subsection (g)(3)(A)—

7 (A) by striking “amount appropriated”
8 each place it appears and inserting “amount
9 appropriated under section 639”;

10 (B) by striking “services provided under
11 this subchapter” and inserting “services pro-
12 vided under this subchapter (other than section
13 657C)”; and

14 (C) by striking “agency under this sub-
15 chapter” and inserting “agency under this sub-
16 chapter (other than section 657C)”.

17 **SEC. 302. APPROPRIATION FOR WAGES.**

18 (a) APPROPRIATION.—There is authorized to be ap-
19 propriated, and there is appropriated, out of any funds
20 in the Treasury not otherwise appropriated,
21 \$4,000,000,000 for fiscal year 2022 and each subsequent
22 fiscal year, to carry out subsection (b).

23 (b) USE OF FUNDS.—Using funds made available
24 under subsection (a), the Secretary of Health and Human
25 Services shall assist Head Start agencies (including Early

1 Head Start agencies) funded under the Head Start Act
 2 (42 U.S.C. 9831 et seq.), to the extent needed to ensure
 3 that their teachers and staff—

4 (1) receive wages that are comparable to wages
 5 for elementary educators with similar credentials
 6 and experience in the State; or

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

8 (c) APPLICATION.—In carrying out subsection (b),
 9 the Secretary shall apply the Head Start Act, except to
 10 the extent that subsection (b) is inconsistent with that
 11 Act.

12 **TITLE IV—APPROPRIATIONS**
 13 **FOR SUPPORTS AND SERV-**
 14 **ICES FOR INCLUSIVE CHILD**
 15 **CARE FOR INFANTS, TOD-**
 16 **DLERS, AND CHILDREN WITH**
 17 **DISABILITIES**

18 **SEC. 401. APPROPRIATIONS FOR SUPPORTS AND SERVICES**
 19 **FOR INCLUSIVE CHILD CARE FOR INFANTS,**
 20 **TODDLERS, AND CHILDREN WITH DISABIL-**
 21 **ITIES.**

22 There is authorized to be appropriated and there is
 23 appropriated for each State for each quarter an amount
 24 that is equal to 5 percent of the payment to such State
 25 for such quarter under section 658J of the Child Care and

1 Development Block Grant Act of 1990 (42 U.S.C. 9858h)

2 to be used by—

3 (1) the State’s lead agency designated or estab-
4 lished under section 635(a)(10) of the Individuals
5 with Disabilities Education Act (20 U.S.C.
6 1435(a)(10)) to provide early intervention services
7 for infants and toddlers with disabilities (as defined
8 in section 632 of the Individuals with Disabilities
9 Education Act (20 U.S.C. 1432)) and their families
10 in settings that provide high-quality inclusive care to
11 such children; and

12 (2) the State to provide services and supports
13 to children with disabilities (as defined in section
14 658P of the Child Care and Development Block
15 Grant Act of 1990 (42 U.S.C. 9858n)) in settings
16 that provide high-quality inclusive care to such chil-
17 dren.

18 **TITLE V—MATERNAL, INFANT,**
19 **AND EARLY CHILDHOOD**
20 **HOME VISITING PROGRAM**

21 **SEC. 501. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) from the prenatal period to the first day of
24 kindergarten, children’s development rapidly pro-

1 gresses at a pace exceeding that of any subsequent
2 stage of life;

3 (2) as reported by the National Academy of
4 Sciences in 2001, striking disparities exist in what
5 children know and can do that are evident well be-
6 fore they enter kindergarten; these differences are
7 strongly associated with social and economic cir-
8 cumstances, and they are predictive of subsequent
9 academic performance;

10 (3) research has consistently demonstrated that
11 investments in high-quality programs that serve in-
12 fants and toddlers better position those children for
13 success in elementary, secondary, and postsecondary
14 education as well as helping children develop the
15 critical physical, emotional, social, and cognitive
16 skills that they will need for the rest of their lives;

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

22 (5) the Maternal, Infant, and Early Childhood
23 Home Visiting (MIECHV) program was authorized
24 by Congress to facilitate collaboration and partner-
25 ship at the Federal, State, and community levels to

1 improve health and development outcomes for at-risk
2 children, including those from low-income families,
3 through evidence-based home visiting programs;

4 (6) MIECHV is an evidence-based policy initia-
5 tive and its authorizing legislation requires that at
6 least 75 percent of funds dedicated to the program
7 must support programs to implement evidence-based
8 home visiting models, which includes the home-based
9 model of Early Head Start;

10 (7) in fiscal year 2016, MIECHV served ap-
11 proximately 160,000 parents and children, which is
12 only a small portion of those eligible, in 893 counties
13 covering all 50 states, the District of Columbia, and
14 5 territories; and

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

19 (A) promote maternal, infant, and child
20 health;

21 (B) improve school readiness and achieve-
22 ment;

23 (C) prevent potential child abuse or neglect
24 and injuries;

- 1 (D) support family economic self-suffi-
- 2 ciency;
- 3 (E) reduce crime or domestic violence; and
- 4 (F) improve coordination or referrals for
- 5 community resources and supports.

○