

105TH CONGRESS  
2D SESSION

# H. R. 3400

To amend the Child Care and Development Block Grant Act of 1990 to improve the availability of child care and development services during periods outside normal school hours, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1998

Ms. SLAUGHTER (for herself, Mr. ACKERMAN, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HOOLEY of Oregon, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. MATSUI, Mr. MEEHAN, Mrs. MORELLA, Mr. OWENS, Mr. RAHALL, Mr. SANDLIN, Mr. UNDERWOOD, Mr. WAXMAN, Mr. NEAL of Massachusetts, Ms. LOFGREN, and Mr. DEFazio) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Child Care and Development Block Grant Act of 1990 to improve the availability of child care and development services during periods outside normal school hours, 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 “America After School  
5 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) children spend less than 20 percent of their  
4 waking hours in school, and their activities during  
5 the remaining 80 percent of these hours have a criti-  
6 cal impact on their long-term success in school and  
7 work;

8 (2) approximately 24,000,000 children require  
9 care after school while their parents work;

10 (3) during 1991—

11 (A) there were 36,700,000 school-age chil-  
12 dren in the United States;

13 (B) approximately 21,200,000 of the chil-  
14 dren described in subparagraph (A) lived with  
15 working mothers (including mothers seeking  
16 employment) and 999,000 lived with mothers  
17 who were enrolled in school; and

18 (C) approximately 912,000 of the children  
19 described in subparagraph (A) lived with single  
20 working fathers, 61,000 with single unemployed  
21 fathers, and 9,000 with single fathers who were  
22 enrolled in school;

23 (4) the General Accounting Office estimates  
24 that the current supply of child care for school-age  
25 children will meet as little as 25 percent of the de-  
26 mand in some urban areas by 2002;

1           (5) children who attend quality after-school pro-  
2       grams while their parents work—

3           (A) experience positive effects on their de-  
4       velopment;

5           (B) have better peer relations, emotional  
6       adjustment, grades, and conduct in school than  
7       their peers in other care arrangements;

8           (C) have more learning opportunities and  
9       enrichment activities than their peers in other  
10      care arrangements; and

11          (D) are less likely to engage in juvenile de-  
12      linquent activity;

13          (6)(A) most juvenile delinquent activity occurs  
14      between 3 p.m. and 8 p.m.; and

15          (B) from 1988 to 1992, juvenile arrests for vio-  
16      lent acts increased by 50 percent;

17          (7) survey data confirms public support for ex-  
18      pansion of programs to assist school-age children, as  
19      evidenced by the fact that the need for child care,  
20      including before- and after-school care, was rated as  
21      one of the most pressing needs for children and fam-  
22      ilies by 92 percent of respondents to a 1995 Na-  
23      tional League of Cities survey, ranking as the high-  
24      est rated need in the survey, which inquired about  
25      crime prevention, welfare reform, education, hous-

ing, family stability, drug and alcohol abuse prevention, and a host of other issues;

(8) 1996 survey data indicate that parents overwhelmingly support using school-based after-school programs for learning and enrichment programs, but 70 percent of all public elementary schools do not offer such programs; and

(9) parents want more than babysitting from after-school programs, and computer classes, art and music courses, tutoring, and community service activities rank high among parental choices for activities for after-school programs.

## **TITLE I—CHILD CARE AND DEVELOPMENT SERVICES**

### **SEC. 101. DEFINITIONS.**

The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended—

(1) by redesignating section 658P (42 U.S.C. 9858n) as section 658T;

(2) by moving such section 658T to the end of such Act; and

(3) in such section 658T—

(A) in paragraph (4), by adding at the end the following:

1 “The term ‘eligible child’, used with respect to child  
2 care and development services, means a school age  
3 child.”; and

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

5 “(15) CHILD CARE; CHILD CARE SERVICES.—  
6 The terms ‘child care’ and ‘child care services’ in-  
7 clude child care and development services.

8 “(16) CHILD CARE AND DEVELOPMENT SERV-  
9 ICES.—The term ‘child care and development serv-  
10 ices’ means services described in section 658H(f).

11 “(17) CHILD WITH A DISABILITY.—The term  
12 ‘child with a disability’ has the meaning given the  
13 term in section 602 of the Individuals with Disabil-  
14 ities Education Act (20 U.S.C. 1401).

15 “(18) ELEMENTARY SCHOOL; SECONDARY  
16 SCHOOL.—The terms ‘elementary school’ and ‘sec-  
17 ondary school’ have the meanings given the terms in  
18 section 14101 of the Elementary and Secondary  
19 Education Act of 1965 (20 U.S.C. 8801).

20 “(19) SCHOOL AGE CHILD.—The term ‘school  
21 age child’ means an individual who—

22 “(A)(i) is not less than 5 and not more  
23 than 15 years of age; or

24 “(ii) at the election of the State involved,  
25 is less than 5 years of age; and

1 “(B) meets the requirements of subpara-  
 2 graphs (B) and (C) of paragraph (4).”

3 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

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

6 (1) by striking “There is” and inserting “(a) IN  
 7 GENERAL.—There is”;

8 (2) by striking “this subchapter” and inserting  
 9 “this subchapter (other than section 658H)”; and

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

11 “(b) PROGRAMS FOR CHILD CARE AND DEVELOP-  
 12 MENT SERVICES.—There is authorized to be appropriated  
 13 and there is appropriated to carry out section 658H,  
 14 \$1,000,000,000 for each of fiscal years 1999 through  
 15 2003.”

16 **SEC. 103. STATE PLAN.**

17 Section 658E(c) of the Child Care and Development  
 18 Block Grant Act of 1990 (42 U.S.C. 9858c(c)) is amend-  
 19 ed—

20 (1) in paragraph (2)—

21 (A) in subparagraph (A)—

22 (i) in clause (i)(II), by striking “sec-  
 23 tion 658P(2)” and inserting “section  
 24 658T(2)”; and

1 (ii) in clause (ii), by striking “eligible  
 2 provider” and inserting “eligible child care  
 3 provider (or, in the case of child care and  
 4 development services, an entity described  
 5 in section 658H(c))”; and

6 (B) in the first sentence of subparagraph  
 7 (E)(i)—

8 (i) by inserting after “within the  
 9 State” the following “(or, in the case of  
 10 child care and development services, other  
 11 appropriate requirements)”; and

12 (ii) by striking “such requirements”  
 13 each place it appears and inserting “such  
 14 licensing or appropriate requirements”;  
 15 and

16 (2) in paragraph (3)—

17 (A) in subparagraph (A), by striking  
 18 “(D)” and inserting “(E)”; and

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

20 “(E) PROGRAMS FOR CHILD CARE AND DE-  
 21 VELOPMENT SERVICES.—

22 “(i) IN GENERAL.—The State plan  
 23 shall provide that the State will reserve the  
 24 portion described in clause (ii) of the State  
 25 allotment under section 658O for each fis-

1 cal year to carry out activities under sec-  
 2 tion 658H.

3 “(ii) PORTION.—For each fiscal year,  
 4 the portion referred to in clause (i) is the  
 5 amount that bears the same relationship to  
 6 the State allotment for that year as the  
 7 amount appropriated under section  
 8 658B(b) for that year bears to the total  
 9 amount appropriated under section 658B  
 10 for that year.”.

11 **SEC. 104. CHILD CARE AND DEVELOPMENT SERVICES.**

12 The Child Care and Development Block Grant Act  
 13 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting  
 14 after section 658G the following:

15 **“SEC. 658H. CHILD CARE AND DEVELOPMENT SERVICES.**

16 “(a) PURPOSE.—It is the purpose of this section to  
 17 fund quality child care and development services, including  
 18 direct services provided outside of normal school hours,  
 19 to promote the health and academic achievement of school  
 20 age children, and assist the children in avoiding high risk  
 21 behaviors.

22 “(b) IN GENERAL.—Each State that receives funds  
 23 to carry out this subchapter for a fiscal year shall use the  
 24 funds reserved as described in section 658E(c)(3)(E) to  
 25 make grants to eligible entities to carry out programs to

1 expand the availability and affordability of quality child  
2 care and development services, including direct services  
3 provided outside of normal school hours (including before-  
4 and after-school care and weekend, holiday, and summer  
5 care) for school age children.

6 “(c) ELIGIBLE ENTITIES.—To be eligible to receive  
7 a grant under this section, an entity shall be—

8 “(1) an elementary school or secondary school;  
9 or

10 “(2) a community-based organization, including  
11 a community-based entity that operates a child care  
12 center or youth center or is a family child care pro-  
13 vider, that meets such requirements of the type de-  
14 scribed in subparagraphs (E) and (F) of section  
15 658E(c)(3) as the State and local governments in-  
16 volved may prescribe.

17 “(d) APPLICATION.—To be eligible to receive a grant  
18 under this section, an entity shall submit an application  
19 to the State at such time, in such manner, and containing  
20 such information as the State may require. At a minimum,  
21 each application shall contain—

22 “(1) information demonstrating the manner in  
23 which the entity will carry out a program described  
24 in subsection (b) in a manner that meets the needs,  
25 of the community to be served, for child care and de-

1       velopment services, including direct services provided  
2       outside of normal school hours;

3               “(2) an assurance that the entity will carry out  
4       direct services provided through the program dur-  
5       ing—

6                       “(A) at least 3 days in each week that the  
7               program operates, and for at least 3 hours on  
8               each day that the program operates; or

9                       “(B) at least 10 hours in each week that  
10       the program operates;

11               “(3) information demonstrating the manner in  
12       which the entity will serve children with disabilities;  
13       and

14               “(4) information demonstrating the manner in  
15       which the entity will carry out the planning, estab-  
16       lishment, implementation, and evaluation of the pro-  
17       gram, and provide staff training for the program, in  
18       coordination with other entities carrying out pro-  
19       grams for children or public transportation pro-  
20       grams in the community.

21       “(e) PREFERENCE.—In making grants under this  
22       section, a State shall give preference to entities that—

23               “(1) serve communities with—

1           “(A) a high rate of poverty, as determined  
2           in accordance with criteria established by the  
3           Secretary; and

4           “(B) a high incidence of at-risk children;  
5           and

6           “(2) propose programs that make transpor-  
7           tation services available to the children served, if  
8           needed to enable the children to receive other serv-  
9           ices described in this section, using transportation  
10          provided under other public programs in the commu-  
11          nity, such as transportation provided under the  
12          Head Start Act (42 U.S.C. 9831 et seq.), or under  
13          programs providing services to older individuals,  
14          educational programs, or public transportation pro-  
15          grams.

16          “(f) USE OF FUNDS.—

17               “(1) IN GENERAL.—An entity that receives a  
18               grant under this section shall use the funds made  
19               available through the grant to provide—

20                   “(A) direct services outside of normal  
21                   school hours;

22                   “(B) quality services; and

23                   “(C) indirect services.

24               “(2) DIRECT SERVICES AND RELATED QUALITY  
25               SERVICES.—

1           “(A) IN GENERAL.—The entity shall use  
2           not less than 75 percent of the funds described  
3           in paragraph (1) to provide two or more of the  
4           direct services described in subparagraph (B) to  
5           school age children and to carry out related  
6           quality services.

7           “(B) DIRECT SERVICES.—The direct serv-  
8           ices referred to in subparagraph (A) consist  
9           of—

10                   “(i) recreational activities;

11                   “(ii) community-based service pro-  
12                   grams that provide for meaningful human,  
13                   educational, environmental, or public safe-  
14                   ty service;

15                   “(iii) academic assistance and tutor-  
16                   ing;

17                   “(iv) mentoring;

18                   “(v) conflict management;

19                   “(vi) health and nutrition services, in-  
20                   cluding disease and injury prevention serv-  
21                   ices;

22                   “(vii) literacy services;

23                   “(viii) child care (other than another  
24                   service described in this subsection); and

1 “(ix) transportation of school age chil-  
2 dren between—

3 “(I) school or home; and

4 “(II) the facility in which the  
5 services are provided.

6 “(C) QUALITY SERVICES.—The quality  
7 services referred to in subparagraph (A) consist  
8 of—

9 “(i) provision of community-based  
10 training, related to the provision of direct  
11 services, for staff of the entity, at times  
12 and in locations that are accessible to the  
13 staff;

14 “(ii) provision of financial assistance  
15 to the staff to attend courses at an institu-  
16 tion of higher education that are related to  
17 the provision of direct services;

18 “(iii) provision of financial assistance  
19 to staff to promote staff retention;

20 “(iv) provision of financial assistance  
21 to enable the child care and development  
22 services program provided by the entity to  
23 obtain accreditation by a nationally recog-  
24 nized accreditation organization;

1 “(v) data collection relating to direct  
2 services, including the collection of data  
3 described in paragraphs (1)(B) and (2) of  
4 section 658K(a) for family units receiving  
5 assistance under this section, and submis-  
6 sion of the data to the State for inclusion  
7 in the reports described in section  
8 658K(a)(2); and

9 “(vi) evaluation of the child care and  
10 development services provided by the entity  
11 in accordance with criteria determined by  
12 the State, and participation in audits de-  
13 scribed in section 658K(b).

14 “(3) INDIRECT SERVICES.—

15 “(A) IN GENERAL.—The entity shall use  
16 not more than 25 percent of the funds de-  
17 scribed in paragraph (1) to provide indirect  
18 services that support the sustainability of the  
19 direct services and the accountability of entities  
20 carrying out the direct services.

21 “(B) SERVICES.—The indirect services re-  
22 ferred to in subparagraph (A) may include—

23 “(i) carrying out activities to provide  
24 increased compensation to staff who pro-  
25 vide the direct services to school age chil-

1           dren outside of normal school hours and  
2           who participate in appropriate training;

3           “(ii) developing and maintaining elec-  
4           tronic databases of providers who provide  
5           the direct services outside of normal school  
6           hours, and making the information in the  
7           databases available to the public through  
8           arrangements with elementary schools, sec-  
9           ondary schools, public libraries, commu-  
10          nity-based agencies, and other public agen-  
11          cies;

12          “(iii) conducting community needs as-  
13          sessments to determine the need for direct  
14          services outside of normal school hours;  
15          and

16          “(iv) constructing, maintaining, and  
17          improving facilities, and purchasing equip-  
18          ment for facilities, in which school age chil-  
19          dren receive direct services outside of nor-  
20          mal school hours.

21          “(g) DEFINITIONS.—In this section:

22                 “(1) DIRECT SERVICES.—The term ‘direct serv-  
23          ices’ means the services described in subsection  
24          (f)(2)(B).

1           “(2) INDIRECT SERVICES.—The term ‘indirect  
2       services’ means the services described in subsection  
3       (f)(3).

4           “(3) QUALITY SERVICES.—The term ‘quality  
5       services’ means the services described in subsection  
6       (f)(2)(C).”.

7       **SEC. 105. CONFORMING AMENDMENTS.**

8           (a) FACILITIES.—Section 658F(b) of the Child Care  
9       and Development Block Grant Act of 1990 (42 U.S.C.  
10      9858d(b)(1)) is amended—

11           (1) in paragraph (1), by striking “section  
12      658O(c)(6)” and inserting “section 658H or  
13      658O(c)(6)”; and

14           (2) in paragraph (2), by inserting before “ex-  
15      cept” the following: “except as provided in section  
16      658H and”.

17           (b) QUALITY ACTIVITIES.—Section 658G of the Child  
18       Care and Development Block Grant Act of 1990 (42  
19       U.S.C. 9858e) is amended by striking “this subchapter”  
20       and inserting “this subchapter (other than section  
21       658H)”.

22           (c) REDESIGNATION.—Section 658K of the Child  
23       Care and Development Block Grant Act of 1990 (42  
24       U.S.C. 9858i) is amended, in subsection (a)(2)(A), by

1 striking “section 658P(5)” and inserting “section  
2 658T(5)”.

3 (d) CONSTRUCTION.—Section 658O(c)(6) of the  
4 Child Care and Development Block Grant Act of 1990 (42  
5 U.S.C. 9858m(c)(6)) is amended by inserting “(other than  
6 the amounts provided to carry out section 658H)” after  
7 “this subsection” each place it appears.

## 8 **TITLE II—STRENGTHENING THE** 9 **21ST CENTURY COMMUNITY** 10 **LEARNING CENTERS ACT**

### 11 **SEC. 201. PROGRAM AUTHORIZATION.**

12 Section 10903 of the 21st Century Community  
13 Learning Centers Act (20 U.S.C. 8243) is amended—

14 (1) in subsection (a)—

15 (A) in the subsection heading, by inserting  
16 “TO LOCAL EDUCATIONAL AGENCIES FOR  
17 SCHOOLS” after “SECRETARY”; and

18 (B) by striking “rural and inner-city pub-  
19 lic” and all that follows through “or to” and in-  
20 serting “local educational agencies for the sup-  
21 port of public elementary schools or secondary  
22 schools, including middle schools, that serve  
23 communities with substantial needs for ex-  
24 panded learning opportunities for children and

1 youth in the communities, to enable the schools  
2 to establish or”; and

3 (C) by striking “a rural or inner-city com-  
4 munity” and inserting “the communities”;

5 (2) in subsection (b)—

6 (A) by striking “States, among” and in-  
7 serting “States and among”; and

8 (B) by striking “United States,” and all  
9 that follows through “a State” and inserting  
10 “United States”; and

11 (3) in subsection (c), by striking “3” and in-  
12 serting “5”.

13 **SEC. 202. APPLICATIONS.**

14 Section 10904(a) of such Act (20 U.S.C. 8244(a))  
15 is amended—

16 (1) in the first sentence, by striking “an ele-  
17 mentary or secondary school or consortium” and in-  
18 serting “a local educational agency”;

19 (2) in paragraph (1), by striking “or consor-  
20 tium”;

21 (3) in paragraph (2), by striking “and” after  
22 the semicolon;

23 (4) in paragraph (3)—

24 (A) in subparagraph (D), by striking “or  
25 consortium”; and

1 (B) in subparagraph (E)—

2 (i) in the matter preceding clause (i),  
3 by striking “or consortium”; and

4 (ii) in clause (ii), by striking the pe-  
5 riod and inserting a semicolon;

6 (5) by adding at the end the following:

7 “(4) information demonstrating that the local  
8 educational agency will—

9 “(A) provide not less than 50 percent of  
10 the annual cost of the activities assisted under  
11 the project from sources other than funds pro-  
12 vided under this part, which contribution may  
13 be provided in cash or in kind, fairly evaluated;

14 “(B) provide not more than 25 percent of  
15 the annual cost of the activities assisted under  
16 the project from funds provided by the Sec-  
17 retary under other Federal programs that per-  
18 mit the use of those other funds for activities  
19 assisted under the project; and

20 “(C) subject to subparagraph (B), in the  
21 fourth and fifth years of a local educational  
22 agency’s project, increase the percentage of the  
23 annual cost of activities assisted under the  
24 project that is paid for from sources other than  
25 the funds provided under this part; and

1           “(5) an assurance that the local educational  
2           agency, in each year of the project, will maintain the  
3           agency’s fiscal effort, from non-Federal sources,  
4           from the preceding fiscal year for the activities the  
5           local educational agency provides with funds pro-  
6           vided under this part.”; and

7           (6) in the matter preceding paragraph (1), by  
8           striking “Each such” and inserting the following:

9           “(b) CONTENTS.—Each such”.

10 **SEC. 203. USES OF FUNDS.**

11           Section 10905 of such Act (20 U.S.C. 8245) is  
12           amended by striking “may be used” and all that follows  
13           through “four” and inserting “shall be used to establish  
14           or expand community learning centers that provide activi-  
15           ties which offer expanded learning opportunities for chil-  
16           dren and youth in the community (such as activities con-  
17           ducted before or after school) and which may include  
18           any”.

19 **SEC. 204. CONTINUATION AWARDS UNDER CURRENT**  
20 **STATUTE.**

21           Such Act (20 U.S.C. 8241 et seq.) is further amend-  
22           ed—

23           (1) by redesignating sections 10906 and 10907  
24           as sections 10907 and 10908, respectively; and

1 (2) by inserting after section 10906 the follow-  
2 ing:

3 **“SEC. 10907. CONTINUATION AWARDS.**

4 “Notwithstanding any other provision of law, the Sec-  
5 retary may use funds appropriated under this part to  
6 make payments under this part for projects that were  
7 funded under this part for fiscal year 1998, under the  
8 terms and conditions that applied to the original grants  
9 for the projects.”.

10 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 10908 of such Act (as redesignated by section  
12 204(1)) (20 U.S.C. 8247) is amended by striking  
13 “\$20,000,000 for fiscal year 1995” and inserting  
14 “\$200,000,000 for fiscal year 1999”.

15 **SEC. 206. EFFECTIVE DATE.**

16 This title, and the amendments made by this title,  
17 shall take effect on October 1, 1998.

18 **TITLE III—CRIME PREVENTION**  
19 **PROGRAM**

20 **SEC. 301. GRANTS TO PUBLIC AND PRIVATE AGENCIES.**

21 Title II of the Juvenile Justice and Delinquency Pre-  
22 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amend-  
23 ed—

24 (1) by redesignating the second part designated  
25 as part I as part K; and

1           (2) by inserting after the first part designated  
2           as part I the following:

3       **“PART J—AFTER SCHOOL CRIME PREVENTION**  
4       **“SEC. 292. GRANTS TO PUBLIC AND PRIVATE AGENCIES**  
5                 **FOR EFFECTIVE AFTER SCHOOL CRIME PRE-**  
6                 **VENTION PROGRAMS.**

7           “(a) IN GENERAL.—Subject to the availability of ap-  
8       propriations, the Administrator shall make grants in ac-  
9       cordance with this section to public and private agencies  
10      to fund effective after school juvenile crime prevention  
11      programs.

12          “(b) MATCHING REQUIREMENT.—The Administrator  
13      may not make a grant to a public or private agency under  
14      this section unless that agency agrees that, with respect  
15      to the costs to be incurred by the agency in carrying out  
16      the program for which the grant is to be awarded, the  
17      agency will make available non-Federal contributions in  
18      an amount that is not less than a specific percentage of  
19      Federal funds provided under the grant, as determined by  
20      the Administrator.

21          “(c) PRIORITY.—In making grants under this sec-  
22      tion, the Administrator shall give priority to funding pro-  
23      grams that—

24                 “(1) are targeted to high crime neighborhoods  
25                 or at-risk juveniles;

1           “(2) operate during the period immediately fol-  
2       lowing normal school hours;

3           “(3) provide educational or recreational activi-  
4       ties designed to encourage law-abiding conduct, re-  
5       duce the incidence of criminal activity, and teach ju-  
6       veniles alternatives to crime; and

7           “(4) coordinate with State or local juvenile  
8       crime control and juvenile offender accountability  
9       programs.

10       “(d) FUNDING.—There are authorized to be appro-  
11      priated for grants under this section \$250,000,000 for  
12      each of fiscal years 1999, 2000, 2001, 2002, and 2003.”.

○