

106TH CONGRESS  
1ST SESSION

# H. R. 2175

To improve the quality of child care, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1999

Mr. STARK (for himself, Ms. NORTON, Mr. BISHOP, and Ms. DELAUBO) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To improve the quality of child care, 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 Quality  
5       Improvement Act of 1999”.

6 **SEC. 2. ALLOTMENTS TO STATES.**

7       (a) IN GENERAL.—The Secretary shall make allot-  
8       ments under subsection (b) to eligible States to pay for  
9       the Federal share of the cost of enabling the States to

1 make grants to local collaboratives under section 3 for ac-  
2 tivities to improve the quality of child care.

3 (b) ALLOTMENT.—From the funds appropriated  
4 under section 6 to carry out this Act for each fiscal year  
5 and not reserved under subsection (h), the Secretary shall  
6 allot to each eligible State an amount that bears the same  
7 relationship to such funds as the total number of children  
8 in poverty in the State bears to the total number of chil-  
9 dren in poverty in all eligible States.

10 (c) STATE BOARDS.—

11 (1) IN GENERAL.—In order for a State to be el-  
12 igible for a grant under section 418(c) of the Social  
13 Security Act, the Governor of the State shall estab-  
14 lish, or designate an entity to serve as, a Child Care  
15 Quality Advisory Board, which shall receive the  
16 grant and make the grants described in section 3.

17 (2) ESTABLISHED BOARD.—A State board es-  
18 tablished under paragraph (1) shall consist of mem-  
19 bers appointed by the Governor, including—

20 (A) representatives of all State agencies  
21 primarily providing services to children in the  
22 State;

23 (B) parents of children in the State;

24 (C) representatives of community and non-  
25 profit organizations representing or providing

1 services to children and their parents, such as  
2 organizations providing child care, carrying out  
3 Head Start programs under the Head Start Act  
4 (42 U.S.C. 9831 et seq.), providing prekinder-  
5 garten education, mental health, or family sup-  
6 port services; and

21 (d) APPLICATION.—To be eligible to receive a grant  
22 to a State under section 418(c) of the Social Security Act,  
23 a State board shall annually submit an application to the  
24 Secretary at such time, in such manner, and containing

1 such information as the Secretary may require. At a min-  
2 imum, the application shall contain—

3 (1) sufficient information about the entity es-  
4 tablished or designated under subsection (c) to serve  
5 as the State board to enable the Secretary to deter-  
6 mine whether the entity complies with the require-  
7 ments of such subsection;

8 (2) a list of goals for quantifiable improvements  
9 in child care quality within the State, that accom-  
10 plish the following:

11 (A) Increased training for child care pro-  
12 viders and administrators.

13 (B) Enhanced licensing standards (includ-  
14 ing at a minimum health and safety, adult-to-  
15 child ratios, and group size) that will apply to  
16 a broader range of child care providers.

17 (C) Reduced number of unlicensed pro-  
18 viders offering child care.

19 (D) Increased State monitoring and en-  
20 forcement of licensed providers.

21 (E) Decreased caregiver turnover rates of  
22 child care providers through incentives such as  
23 increased compensation or scholarships to sup-  
24 port continuing education in academic areas re-  
25 lated to child care and development.

(F) Higher levels of accreditation among licensed child care providers.

(G) Other standards and practices to improve the quality of child care;

5 (3) a comprehensive State plan for reaching the  
6 goals listed pursuant to paragraph (2);

17 (e) STATE ADMINISTRATIVE COSTS.—A State may  
18 use not more than 5 percent of the amount of a grant  
19 made to the State under section 418(c) of the Social Secu-  
20 rity Act to pay for State administrative costs related to  
21 carrying out this Act.

22 (f) MONITORING.—The Secretary shall monitor the  
23 activities of States that receive a grant made under section  
24 418(c) of the Social Security Act to ensure compliance

1 with the requirements of this Act, including compliance  
2 with the State plans.

3 (g) ENFORCEMENT.—If the Secretary determines  
4 that a State that is otherwise eligible for a grant under  
5 section 418(c) of the Social Security Act for a fiscal year  
6 is not complying with a requirement of this Act, the Sec-  
7 retary may—

8 (1) subject to the limitation in subsection (h),  
9 provide technical assistance to the State to improve  
10 the quality of child care services and the ability of  
11 the State to comply with the goals described in sub-  
12 section (d)(2);

13 (2) reduce, by not less than 5 percent, the  
14 amount of the grant otherwise payable to the State  
15 under such section for the fiscal year, for the second  
16 determination of noncompliance;

17 (3) reduce, by not less than 25 percent, the  
18 amount of the grant otherwise payable to the State  
19 under such section for the fiscal year, for the third  
20 determination of noncompliance; or

21 (4) revoke the eligibility of the State for any  
22 grant under such section, for the fourth or subse-  
23 quent determination of noncompliance.

24 (h) TECHNICAL ASSISTANCE.—From the funds ap-  
25 propriated under section 6 for each fiscal year, the Sec-

1     retary shall reserve not more than 1 percent of the funds  
2     to pay for the costs of providing technical assistance. The  
3     Secretary shall use the reserved funds to enter into con-  
4     tracts with eligible entities to provide technical assistance  
5     to local collaboratives that receive grants under section 3,  
6     relating to the functions of the local collaboratives under  
7     this Act.

8     **SEC. 3. USE OF FUNDS.**

9             (a) **USE BY STATE BOARD.**—A State board that re-  
10   ceives a grant made under section 418(c) of the Social  
11   Security Act shall use the grant to—

12                 (1) establish and enforce State child care licens-  
13   ing requirements; and

14                 (2) make grants, on a competitive basis, to local  
15   collaboratives to carry out activities to improve the  
16   quality of child care.

17             (b) **USE BY LOCAL COLLABORATIVE.**—A local col-  
18   laborative that receives funds through a grant made under  
19   subsection (a) may use such funds—

20                 (1) to carry out the plan included in the appli-  
21   cation for the grant; and

22                 (2) to prepare reports described in subsection  
23   (e)(3)(C).

24             (c) **MULTIYEAR FUNDING.**—In making grants under  
25   this section, a State board may make grants for grant pe-

1 periods of more than 1 year to local collaboratives with dem-  
2 onstrated success in carrying out activities to improve the  
3 quality of child care.

4 (d) LOCAL COLLABORATIVES.—To be eligible to re-  
5 ceive a grant under this section for a community, a local  
6 collaborative shall demonstrate that the collaborative—

7 (1) is able to provide, through a coordinated ef-  
8 fort, activities to improve the quality of child care to  
9 children in the community and their parents; and

10 (2) includes—

11 (A) public agencies primarily providing  
12 services to children in the community;

13 (B) parents of children in the community;

14 (C) businesses that provide child care serv-  
15 ices in the community;

16 (D) representatives of the local government  
17 of the county or other political subdivision in  
18 which the community is located;

19 (E) representatives of community and non-  
20 profit organizations that represent or provide  
21 services for low-income individuals in the com-  
22 munity;

23 (F) community-based organizations pro-  
24 viding services to children and their parents,  
25 such as organizations providing child care, car-

1               rying out Head Start programs, or providing  
2               prekindergarten education, mental health, or  
3               family support services; and

4               (G) persons with expertise in early child-  
5               hood development.

6               (e) APPLICATION.—To be eligible to receive a grant  
7   under this section, a local collaborative shall submit an  
8   application to the State board at such time, in such man-  
9   ner, and containing such information as the State board  
10   may require. At a minimum, the application shall  
11   contain—

12               (1) sufficient information about the entity de-  
13               scribed in subsection (d)(2) to enable the State  
14               board to determine whether the entity complies with  
15               the requirements of such subsection;

16               (2) a comprehensive plan to accomplish the fol-  
17               lowing:

18               (A) Increase training for child care pro-  
19               viders and administrators.

20               (B) Comply with State licensing standards  
21               (including at a minimum health and safety,  
22               adult-to-child ratios, group size, and criminal  
23               background checks) that may apply to a broad-  
24               er range of child care providers than currently  
25               exists in the community.

(C) Reduce the number of unlicensed providers offering child care.

(D) Decrease caregiver turnover rates at child care providers through incentives such as increased compensation.

(E) Increase levels of accreditation among licensed child care providers.

(F) Otherwise improve the quality of child care; and

(A) evaluate the results achieved by the collaborative for implementing the plan submitted under paragraph (2);

(B) evaluate how child care services can be more effectively improved and made available to children and their parents; and

(C) prepare and submit to the State board annual reports describing the results of the evaluations under subparagraphs (A) and (B).

1       (f) DISTRIBUTION.—In making grants under this sec-  
2 tion, the State board shall ensure that at least 60 percent  
3 of the funds made available through each grant are used  
4 to provide the activities to improve the quality of child care  
5 to children (and parents of children) who reside in school  
6 districts in which half or more of the students would be  
7 eligible to receive free or reduced price lunches under the  
8 National School Lunch Act (42 U.S.C. 1751 et seq.).

9       (g) MONITORING.—The State board shall monitor the  
10 activities of local collaboratives that receive grants under  
11 this Act to ensure compliance with the requirements of  
12 this Act.

13 **SEC. 4. SUPPLEMENT NOT SUPPLANT.**

14       Funds received from a grant made under section  
15 418(c) of the Social Security Act shall be used to supple-  
16 ment and not supplant other Federal, State, and local  
17 public funds expended to provide services for children.

18 **SEC. 5. DEFINITIONS.**

19       For the purposes of this Act the following definitions  
20 apply:

21           (1) LOCAL EDUCATIONAL AGENCY.—The term  
22       “local educational agency” has the meaning given  
23       the term in section 14101 of the Elementary and  
24       Secondary Education Act of 1965 (20 U.S.C. 8801).

15 (5) STATE BOARD.—The term “State board”  
16 means a State Child Care Quality Advisory Board  
17 established under section 2(c).

## 18 SEC. 6. FUNDING.

19       Section 418 of the Social Security Act (42 U.S.C.  
20  618) is amended—

21 (1) in subsection (b), by striking “this section”  
22 each place it appears and inserting “subsection (a)”;  
23 (2) by redesignating subsections (c) and (d) as  
24 subsections (d) and (e), respectively; and

1 (3) by inserting after subsection (b) the fol-  
2 lowing:

3       “(c) APPROPRIATIONS FOR CHILD CARE QUALITY  
4 IMPROVEMENT GRANT.—Out of any money in the Treas-  
5 ury of the United States not otherwise appropriated, there  
6 are appropriated \$600,000,000 for each of the fiscal years  
7 2000 through 2004 to carry out the Child Care Quality  
8 Improvement Act of 1999.”.

## 9 SEC. 7. ADVISORY COMMISSION.

10 (a) ESTABLISHMENT.—There is established a com-  
11 mission to be known as the “Advisory Commission on  
12 Quality Child Care”.

13 (b) DUTIES.—The Commission shall—

## 14 (1) identify and study—

15 (A) the most important issues affecting the  
16 quality of child care;

20 (C) other related topics that the Commis-  
21 sion considers appropriate; and

22 (2) develop and make recommendations  
23 regarding—

4 (B) national standards for the quality of  
5 child care; and

(C) other related topics that the Commission considers appropriate.

8 (c) NUMBER AND APPOINTMENT OF MEMBERS.—

9 The Commission shall be composed of 9 members who  
10 shall be appointed by the President before the expiration  
11 of the 6-month period beginning on the date of the enact-  
12 ment of this Act.

13 (d) **QUALIFICATIONS OF MEMBERS.**—Each of the in-  
14 dividuals appointed under subsection (a) shall be an indi-  
15 vidual with distinctive expertise or experience in child care  
16 or early childhood development.

17 (e) TERMS.—Each member shall be appointed for the  
18 life of the Commission. Any vacancy in the Commission  
19 shall not affect its powers, but shall be filled in the manner  
20 in which the original appointment was made.

21 (f) BASIC PAY.—Each member shall serve without  
22 pay.

23 (g) TRAVEL EXPENSES.—Each member shall receive  
24 travel expenses, including per diem in lieu of subsistence,

1 in accordance with sections 5702 and 5703 of title 5,  
2 United States Code.

3 (h) QUORUM.—A majority of the members of the  
4 Commission shall constitute a quorum but a lesser number  
5 may hold hearings.

6 (i) CHAIRPERSON.—The Chairperson of the Commis-  
7 sion shall be designated by the President. The term of of-  
8 fice of the Chairperson shall be for the life of the Commis-  
9 sion. A vacancy in the office of the Chairperson shall be  
10 filled in the manner in which the original designation was  
11 made.

12 (j) MEETINGS.—The Commission shall meet not less  
13 than 4 times. The initial meeting of the Commission shall  
14 be at the call of the Chairperson and shall occur within  
15 the 90-day period beginning on the date on which all mem-  
16 bers of the Commission have been appointed. After the  
17 initial meeting, the Commission shall meet at the call of  
18 the Chairperson or a majority of its members.

19 (k) DIRECTOR.—The Commission shall have a Direc-  
20 tor who shall be appointed by the Secretary of Health and  
21 Human Services. The Secretary of Health and Human  
22 Services shall fix the pay of the Director.

23 (l) STAFF.—Upon request of the Commission, the  
24 Secretary of Health and Human Services shall detail, and  
25 the head of any other Federal department or agency may

1 detail, on a reimbursable basis, any of the personnel of  
2 that department or agency to the Commission to assist  
3 it in carrying out its duties under this Act.

4 (m) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
5 the request of the Commission, the Administrator of Gen-  
6 eral Services shall provide to the Commission, on a reim-  
7 bursable basis, the administrative support services nec-  
8 essary for the Commission to carry out its responsibilities  
9 under this Act.

10 (n) HEARINGS AND SESSIONS.—The Commission  
11 may, for the purpose of carrying out this Act, hold hear-  
12 ings, sit and act at times and places, take testimony, and  
13 receive evidence as the Commission considers appropriate.

14 (o) POWERS OF MEMBERS AND AGENTS.—Any mem-  
15 ber or agent of the Commission may, if authorized by the  
16 Commission, take any action that the Commission is au-  
17 thorized to take by this section.

18 (p) OBTAINING OFFICIAL DATA.—The Commission  
19 may secure directly from any department or agency of the  
20 United States information necessary to enable the Com-  
21 mission to carry out this Act. Upon request of the Chair-  
22 person, the head of the department or agency shall furnish  
23 the information to the Commission.

24 (q) GIFTS, BEQUESTS, AND DEVISES.—The Commis-  
25 sion may accept, use, and dispose of gifts, bequests, or

1 devises of services or property, both real and personal, for  
2 the purpose of aiding or facilitating the work of the Com-  
3 mission. Gifts, bequests, or devises of money and proceeds  
4 from sales of other property received as gifts, bequests,  
5 or devises shall be deposited in the Treasury and shall be  
6 available for disbursement upon order of the Commission.

7 (r) MAI LS.—The Commission may use the United  
8 States mails in the same manner and under the same con-  
9 ditions as other departments and agencies of the United  
10 States.

11 (s) REPORTS.—

12 (1) INTERIM REPORTS.—As soon as practicable  
13 after any hearing held by the Commission, the Com-  
14 mission shall submit to the President, Congress, and  
15 the Secretary of Health and Human Services an in-  
16 terim report summarizing the hearing and con-  
17 taining any other information the Commission con-  
18 siders appropriate.

19 (2) FINAL REPORT.—Not later than 2 years  
20 after the date of the initial meeting of the Commis-  
21 sion, the Commission shall submit to the President,  
22 Congress, and the Secretary of Health and Human  
23 Services a final report that—

24 (A) shall set forth the consensus findings  
25 and recommendations of the Commission; and

1 (B) may set forth the majority but noncon-  
2 sensus findings and recommendations of the  
3 Commission and any other information that the  
4 Commission considers appropriate.

12 (t) TERMINATION.—The Commission shall terminate  
13 2 years after the date of its initial meeting, or on the date  
14 on which the Commission submits its final report, which-  
15 ever occurs first.

○