H. R. 489

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.

IN THE HOUSE OF REPRESENTATIVES

February 2, 1999

Ms. Slaughter (for herself, Mr. Brown of California, Mr. Filner, Mr. Lantos, Ms. Lee, Ms. Lofgren, Mr. Matsui, Ms. Pelosi, Mr. Sherman, Mr. Stark, Mr. Waxman, Ms. Delauro, Ms. Norton, Mr. Underwood, Mrs. Mink of Hawaii, Mr. Ackerman, Mr. Forbes, Mr. Hinchey, Mr. Nadler, Mrs. Clayton, Mr. Kucinich, Mrs. Jones of Ohio, Mr. Defazio, Ms. Hooley of Oregon, Mr. Brady of Pennsylvania, Mr. Ford, Mr. Frost, Mr. Hinojosa, Mr. Lampson, Mr. Rush, Ms. Schakowsky, Ms. Carson, Mr. Baldacci, Mr. Capuano, Mr. Frank of Massachusetts, Mr. McGovern, Mr. Markey, Mr. Meehan, Mr. Olver, Ms. Kilpatrick, Mr. Bonior, Mr. Vento, Mr. Clay, Mr. Rodriguez, Mr. Sandlin, Mr. Sanders, and Mr. Rahall) introduced the following bill; which was referred to the Committee on Education and the Workforce

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,

1 SECTION 1. SHORT TITLE.

2	This Act may be cited as the "America After School
3	Act".
4	SEC. 2. FINDINGS.
5	Congress finds that—
6	(1) children spend less than 20 percent of their
7	waking hours in school, and their activities during
8	the remaining 80 percent of these hours have a criti-
9	cal impact on their long-term success in school and
10	work;
11	(2) approximately 24,000,000 children require
12	care after school while their parents work;
13	(3) during 1991—
14	(A) there were 36,700,000 school-age chil-
15	dren in the United States;
16	(B) approximately 21,200,000 of the chil-
17	dren described in subparagraph (A) lived with
18	working mothers (including mothers seeking
19	employment) and 999,000 lived with mothers
20	who were enrolled in school; and
21	(C) approximately 912,000 of the children
22	described in subparagraph (A) lived with single
23	working fathers, 61,000 with single unemployed
24	fathers, and 9,000 with single fathers who were
25	enrolled in school;

1	(4) the General Accounting Office estimates
2	that the current supply of child care for school-age
3	children will meet as little as 25 percent of the de-
4	mand in some urban areas by 2002;
5	(5) children who attend quality after-school pro-
6	grams while their parents work—
7	(A) experience positive effects on their de-
8	velopment;
9	(B) have better peer relations, emotional
10	adjustment, grades, and conduct in school than
11	their peers in other care arrangements;
12	(C) have more learning opportunities and
13	enrichment activities than their peers in other
14	care arrangements; and
15	(D) are less likely to engage in juvenile de-
16	linquent activity;
17	(6)(A) most juvenile delinquent activity occurs
18	between 3 p.m. and 8 p.m.; and
19	(B) from 1988 to 1992, juvenile arrests for vio-
20	lent acts increased by 50 percent;
21	(7) survey data confirms public support for ex-
22	pansion of programs to assist school-age children, as
23	evidenced by the fact that the need for child care,
24	including before- and after-school care, was rated as
25	one of the most pressing needs for children and fam-

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1	ilies by 92 percent of respondents to a 1995 Na-
2	tional League of Cities survey, ranking as the high-
3	est rated need in the survey, which inquired about
4	crime prevention, welfare reform, education, hous-
5	ing, family stability, drug and alcohol abuse preven-
6	tion, and a host of other issues;
7	(8) 1996 survey data indicate that parents
8	overwhelmingly support using school-based after-
9	school programs for learning and enrichment pro-
10	grams, but 70 percent of all public elementary
11	schools do not offer such programs; and
12	(9) parents want more than babysitting from
13	after-school programs, and computer classes, art and
14	music courses, tutoring, and community service ac-
15	tivities rank high among parental choices for activi-
16	ties for after-school programs.
17	TITLE I—CHILD CARE AND
18	DEVELOPMENT SERVICES
19	SEC. 101. DEFINITIONS.
20	The Child Care and Development Block Grant Act
21	of 1990 (42 U.S.C. 9858 et seq.) is amended—
22	(1) by redesignating section 658P (42 U.S.C.
23	9858n) as section 658T;
24	(2) by moving such section 658T to the end of

25

such Act; and

1	(3) in such section 658T—
2	(A) in paragraph (4), by adding at the end
3	the following:
4	"The term 'eligible child', used with respect to child
5	care and development services, means a school age
6	child."; and
7	(B) by adding at the end the following:
8	"(15) CHILD CARE; CHILD CARE SERVICES.—
9	The terms 'child care' and 'child care services' in-
10	clude child care and development services.
11	"(16) CHILD CARE AND DEVELOPMENT SERV-
12	ICES.—The term 'child care and development serv-
13	ices' means services described in section 658H(f).
14	"(17) CHILD WITH A DISABILITY.—The term
15	'child with a disability' has the meaning given the
16	term in section 602 of the Individuals with Disabil-
17	ities Education Act (20 U.S.C. 1401).
18	"(18) Elementary school; secondary
19	SCHOOL.—The terms 'elementary school' and 'sec-
20	ondary school' have the meanings given the terms in
21	section 14101 of the Elementary and Secondary
22	Education Act of 1965 (20 U.S.C. 8801).
23	"(19) SCHOOL AGE CHILD.—The term 'school
24	age child' means an individual who—

1	"(A)(i) is not less than 5 and not more
2	than 16 years of age; or
3	"(ii) at the election of the State involved,
4	is less than 5 years of age; and
5	"(B) meets the requirements of subpara-
6	graphs (B) and (C) of paragraph (4)."
7	SEC. 102. AUTHORIZATION OF APPROPRIATIONS.
8	Section 658B of the Child Care and Development
9	Block Grant Act of 1990 (42 U.S.C. 9858) is amended—
10	(1) by striking "There is" and inserting "(a) IN
11	GENERAL.—There is";
12	(2) by striking "this subchapter" and inserting
13	"this subchapter (other than section 658H)"; and
14	(3) by adding at the end the following:
15	"(b) Programs for Child Care and Develop-
16	MENT SERVICES.—There is authorized to be appropriated
17	and there is appropriated to carry out section 658H,
18	\$400,000,000 for fiscal year 2000, \$500,000,000 for fis-
19	cal year 2001, \$600,000,000 for fiscal year 2002,
20	\$700,000,000 for fiscal year 2003, and \$800,000,000 for
21	fiscal year 2004."
22	SEC. 103. STATE PLAN.
23	Section 658E(c) of the Child Care and Development
24	Block Grant Act of 1990 (42 U.S.C. 9858e(e)) is
25	amended—

1	(1) in paragraph (2)—
2	(A) in subparagraph (A)—
3	(i) in clause (i)—
4	(I) by inserting ", other than
5	through assistance provided under
6	paragraph (3)(E)," after "under this
7	subchapter"; and
8	(II) in subclause (II), by striking
9	"section 658P(2)" and inserting "sec-
10	tion 658T(2)"; and
11	(ii) in clause (ii), by striking "eligible
12	provider" and inserting "eligible child care
13	provider (or, in the case of child care and
14	development services, an entity described
15	in section 658H(c))"; and
16	(B) in the first sentence of subparagraph
17	(E)(i)—
18	(i) by inserting after "within the
19	State" the following "(or, in the case of
20	child care and development services, other
21	appropriate requirements)"; and
22	(ii) by striking "such requirements"
23	each place it appears and inserting "such
24	licensing or appropriate requirements";
25	and

1	(2) in paragraph (3)—
2	(A) in subparagraph (A), by striking
3	"(D)" and inserting "(E)"; and
4	(B) by adding at the end the following:
5	"(E) Programs for Child Care and De-
6	VELOPMENT SERVICES.—
7	"(i) In General.—The State plan
8	shall provide that the State will reserve the
9	portion described in clause (ii) of the State
10	allotment under section 6580 for each fis-
11	cal year for grants and contracts to carry
12	out activities under section 658H.
13	"(ii) Portion.—For each fiscal year
14	the portion referred to in clause (i) is the
15	amount that bears the same relationship to
16	the State allotment for that year as the
17	amount appropriated under section
18	658B(b) for that year bears to the total
19	amount appropriated under section 658B
20	for that year.".
21	SEC. 104. CHILD CARE AND DEVELOPMENT SERVICES.
22	The Child Care and Development Block Grant Act
23	of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
24	after section 658G the following:

1 "SEC. 658H. AFTER SCHOOL SERVICES.

2	"(a) Purpose.—It is the purpose of this section to
3	fund quality child care and development services through
4	grants and contracts, including direct services provided
5	outside of normal school hours, to promote the health and
6	academic achievement of school age children, and assist
7	the children in avoiding high risk behaviors.
8	"(b) In General.—Each State that receives funds
9	to carry out this subchapter for a fiscal year shall use the
10	funds reserved as described in section 658E(c)(3)(E) to
11	make grants to eligible entities to carry out programs to
12	expand the availability and affordability of quality child
13	care and development services, including direct services
14	provided outside of normal school hours (including before-
15	and after-school care and weekend, holiday, and summer
16	care) for school age children.
17	"(c) Eligible entities.—To be eligible to receive
18	a grant under this section, an entity shall be—
19	"(1) an elementary school or secondary school;
20	or
21	"(2) a community-based organization, including
22	a community-based entity that operates a child care
23	center or youth center or is a family child care pro-
24	vider, that meets such requirements of the type de-
25	scribed in subparagraphs (E) and (F) of section

1	658E(c)(3) as the State and local governments in-
2	volved may prescribe.
3	"(d) Application.—To be eligible to receive a grant
4	under this section, an entity shall submit an application
5	to the State at such time, in such manner, and containing
6	such information as the State may require. At a minimum,
7	each application shall contain—
8	"(1) information demonstrating the manner in
9	which the entity will carry out a program described
10	in subsection (b) in a manner that meets the needs
11	of the community to be served, for child care and de-
12	velopment services, including direct services provided
13	outside of normal school hours;
14	"(2) an assurance that the entity will carry out
15	direct services provided through the program
16	during—
17	"(A) at least 3 days in each week that the
18	program operates, and for at least 3 hours on
19	each day that the program operates; or
20	"(B) at least 10 hours in each week that
21	the program operates;
22	"(3) information demonstrating the manner in
23	which the entity will serve children with disabilities
24	and

1 "(4) information demonstrating the manner in 2 which the entity will carry out the planning, estab-3 lishment, implementation, and evaluation of the pro-4 gram, and provide staff training for the program, in 5 coordination with other entities carrying out programs for children or public transportation pro-6 7 grams in the community. "(e) Preference.—In making grants under this 8 9 section, a State shall give preference to entities that— "(1) serve communities with— 10 "(A) a high rate of poverty, as determined 11 12 in accordance with criteria established by the 13 Secretary; and 14 "(B) a high incidence of at-risk children; 15 and "(2) propose programs that make transpor-16 17 tation services available to the children served, if 18 needed to enable the children to receive other serv-19 ices described in this section, using transportation 20 provided under other public programs in the commu-21 nity, such as transportation provided under the 22 Head Start Act (42 U.S.C. 9831 et seq.), or under 23 programs providing services to older individuals, 24 educational programs, or public transportation pro-25 grams.

1	"(f) Use of Funds.—
2	"(1) In general.—An entity that receives a
3	grant under this section shall use the funds made
4	available through the grant to provide—
5	"(A) direct services outside of normal
6	school hours;
7	"(B) quality services; and
8	"(C) indirect services.
9	"(2) Direct services and related quality
10	SERVICES.—
11	"(A) In general.—The entity shall use
12	not less than 75 percent of the funds described
13	in paragraph (1) to provide two or more of the
14	direct services described in subparagraph (B) to
15	school age children and to carry out related
16	quality services.
17	"(B) Direct services.—The direct serv-
18	ices referred to in subparagraph (A) consist
19	of—
20	"(i) recreational activities;
21	"(ii) community-based service pro-
22	grams that provide for meaningful human,
23	educational, environmental, or public safe-
24	ty service;

1	"(iii) academic assistance and tutor-
2	ing;
3	"(iv) mentoring;
4	"(v) conflict management;
5	"(vi) health and nutrition services, in-
6	cluding disease and injury prevention serv-
7	ices;
8	"(vii) literacy services;
9	"(viii) child care (other than another
10	service described in this subsection); and
11	"(ix) transportation of school age chil-
12	dren between—
13	"(I) school or home; and
14	"(II) the facility in which the
15	services are provided.
16	"(C) QUALITY SERVICES.—The quality
17	services referred to in subparagraph (A) consist
18	of—
19	"(i) the provision of community-based
20	training, related to the provision of direct
21	services, including services for children
22	with disabilities, for staff of the entity, at
23	times and in locations that are accessible
24	to the staff;

1	"(ii) the provision of financial assist-
2	ance to the staff to attend courses at an
3	institution of higher education that are re-
4	lated to the provision of direct services;
5	"(iii) the provision of financial assist-
6	ance to staff to promote staff retention;
7	"(iv) the provision of financial assist-
8	ance to enable the child care and develop-
9	ment services program provided by the en-
10	tity to obtain accreditation by a nationally
11	recognized accreditation organization;
12	"(v) data collection relating to direct
13	services, including the collection of data
14	described in paragraphs (1)(B) and (2) of
15	section 658K(a) for family units receiving
16	assistance under this section, and submis-
17	sion of the data to the State for inclusion
18	in the reports described in section
19	658K(a)(2); and
20	"(vi) the evaluation of the child care
21	and development services provided by the
22	entity in accordance with criteria deter-
23	mined by the State, and participation in
24	audits described in section 658K(b).
25	"(3) Indirect services.—

1	"(A) In general.—The entity shall use
2	not more than 25 percent of the funds de-
3	scribed in paragraph (1) to provide indirect
4	services that support the sustainability of the
5	direct services and the accountability of entities
6	carrying out the direct services.
7	"(B) Services.—The indirect services re-
8	ferred to in subparagraph (A) may include—
9	"(i) carrying out activities to provide
10	increased compensation to staff who pro-
11	vide the direct services to school age chil-
12	dren outside of normal school hours and
13	who participate in appropriate training;
14	"(ii) developing and maintaining elec-
15	tronic databases of providers who provide
16	the direct services outside of normal school
17	hours, and making the information in the
18	databases available to the public through
19	arrangements with elementary schools, sec-
20	ondary schools, public libraries, commu-
21	nity-based agencies, and other public agen-
22	cies;
23	"(iii) conducting community needs as-
24	sessments to determine the need for direct

1	services outside of normal school hours;
2	and
3	"(iv) constructing, maintaining, and
4	improving facilities, and purchasing equip-
5	ment for facilities, in which school age chil-
6	dren receive direct services outside of nor-
7	mal school hours.
8	"(g) Definitions.—In this section:
9	"(1) Direct services.—The term 'direct serv-
10	ices' means the services described in subsection
11	(f)(2)(B).
12	"(2) Indirect services.—The term 'indirect
13	services' means the services described in subsection
14	(f)(3).
15	"(3) QUALITY SERVICES.—The term 'quality
16	services' means the services described in subsection
17	(f)(2)(C).".
18	SEC. 105. CONFORMING AMENDMENTS.
19	(a) Facilities.—Section 658F(b) of the Child Care
20	and Development Block Grant Act of 1990 (42 U.S.C.
21	9858d(b)(1)) is amended—
22	(1) in paragraph (1), by striking "section
23	658O(c)(6)" and inserting "section $658H$ or
24	658O(c)(6)"; and

- 1 (2) in paragraph (2), by inserting before "ex-
- 2 cept" the following: "except as provided in section
- 3 658H and".
- 4 (b) QUALITY ACTIVITIES.—Section 658G of the Child
- 5 Care and Development Block Grant Act of 1990 (42
- 6 U.S.C. 9858e) is amended by striking "this subchapter"
- 7 and inserting "this subchapter (other than section
- 8 658H)".
- 9 (c) Redesignation.—Section 658K of the Child
- 10 Care and Development Block Grant Act of 1990 (42
- 11 U.S.C 9858i) is amended, in subsection (a)(2)(A), by
- 12 striking "section 658P(5)" and inserting "section
- 13 658T(5)".
- (d) Construction.—Section 658O(c)(6) of the
- 15 Child Care and Development Block Grant Act of 1990 (42
- 16 U.S.C. 9858m(c)(6)) is amended by inserting "(other than
- 17 the amounts provided to carry out section 658H)" after
- 18 "this subsection" each place it appears.

19 TITLE II—STRENGTHENING THE

20 21ST CENTURY COMMUNITY

21 LEARNING CENTERS ACT

- 22 SEC. 201. PROGRAM AUTHORIZATION.
- 23 Section 10903 of the 21st Century Community
- 24 Learning Centers Act (20 U.S.C. 8243) is amended—
- 25 (1) in subsection (a)—

1	(A) in the subsection heading, by inserting
2	"to Local Educational Agencies for
3	SCHOOLS" after "SECRETARY"; and
4	(B) by striking "rural and inner-city pub-
5	lic" and all that follows through "or to" and in-
6	serting "local educational agencies for the sup-
7	port of public elementary schools or secondary
8	schools, including middle schools, that serve
9	communities with substantial needs for ex-
10	panded learning opportunities for children and
11	youth in the communities, to enable the schools
12	to establish or'; and
13	(C) by striking "a rural or inner-city com-
14	munity" and inserting "the communities";
15	(2) in subsection (b)—
16	(A) by striking "States, among" and in-
17	serting "States and among"; and
18	(B) by striking "United States," and all
19	that follows through "a State" and inserting
20	"United States"; and
21	(3) in subsection (c), by striking "3" and in-
22	serting "5".

1 SEC. 202. APPLICATIONS. 2 Section 10904(a) of the 21st Century Community 3 Centers Act (20)U.S.C. Leadership 8244(a)) 4 amended— (1) in the first sentence, by striking "an ele-5 6 mentary or secondary school or consortium" and inserting "a local educational agency"; 7 (2) in paragraph (1), by striking "or consor-8 9 tium"; (3) in paragraph (2), by striking "and" after 10 11 the semicolon; 12 (4) in paragraph (3)— 13 (A) in subparagraph (B), by inserting ", including programs under the Child Care and 14 Development Block Grant Act of 1990" after 15 "maximized"; 16 (B) in subparagraph (D), by striking "or 17 18 consortium"; and 19 (C) in subparagraph (E)— 20 (i) in the matter preceding clause (i), by striking "or consortium"; and 21 22 (ii) in clause (ii), by striking the pe-23 riod and inserting a semicolon; 24 (5) by adding at the end the following: "(4) information demonstrating that the local 25

educational agency will—

26

1	"(A) provide not less than 35 percent of
2	the annual cost of the activities assisted under
3	the project from sources other than funds pro-
4	vided under this part, which contribution may
5	be provided in cash or in kind, fairly evaluated;
6	and
7	"(B) provide not more than 25 percent of
8	the annual cost of the activities assisted under
9	the project from funds provided by the Sec-
10	retary under other Federal programs that per-
11	mit the use of those other funds for activities
12	assisted under the project; and
13	"(5) an assurance that the local educational
14	agency, in each year of the project, will maintain the
15	agency's fiscal effort, from non-Federal sources,
16	from the preceding fiscal year for the activities the
17	local educational agency provides with funds pro-
18	vided under this part."; and
19	(6) in the matter preceding paragraph (1), by
20	striking "Each such" and inserting the following:
21	"(b) Contents.—Each such".
22	SEC. 203. USES OF FUNDS.
23	Section 10905 of the 21st Century Community Lead-
24	ership Centers Act (20 U.S.C. 8245) is amended—

1	(1) by striking "Grants" and inserting "(a)
2	Grants";
3	(2) by striking "may be used" and all that fol-
4	lows through "four" and inserting "shall be used to
5	establish or expand community learning centers that
6	provide activities which offer expanded learning op-
7	portunities for children and youth in the community
8	(such as activities conducted before or after school)
9	that provide 1 or more of the following activities:
10	(3) in paragraph (11), by inserting ", and job
11	skills preparation" after "placement"; and
12	(4) by adding at the end the following:
13	"(14) Mentoring programs.
14	"(15) Academic assistance programs.
15	"(16) Drug, alcohol, and gang prevention ac-
16	tivities.
17	"(b) Special Rules.—Each grant awarded under
18	this part—
19	"(1) shall be used for an activity described in
20	subsection (a) that—
21	"(A) offers expanded learning opportuni-
22	ties for children and youth in the community;
23	and
24	"(B) is conducted before or after school,
25	except that a supportive activity, such as train-

1	ing, may be conducted during school if the sup-
2	portive activity relates directly to the activity
3	described in subsection (a) that is conducted be-
4	fore or after school; and
5	"(2) may be used for an activity described in
6	subsection (a) that does not offer expanded learning
7	opportunities for children and youth in the commu-
8	nity.".
9	SEC. 204. CONTINUATION AWARDS UNDER CURRENT
10	STATUTE.
11	The 21st Century Community Leadership Centers
12	Act (20 U.S.C. 8241 et seq.) is amended—
13	(1) by redesignating sections 10906 and 10907
14	as sections 10907 and 10908, respectively; and
15	(2) by inserting after section 10906 the follow-
16	ing:
17	"SEC. 10907. CONTINUATION AWARDS.
18	"Notwithstanding any other provision of law, the Sec-
19	retary may use funds appropriated under this part to
20	make payments under this part for projects that were
21	funded under this part for fiscal year 1999, under the
22	terms and conditions that applied to the original grants
23	for the projects "

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

- 2 Section 10908 of the 21st Century Community Lead-
- 3 ership Centers Act (as redesignated by section 204(1)) (20
- 4 U.S.C. 8247) is amended by striking "\$20,000,000 for fis-
- 5 cal year 1995" and inserting "\$600,000,000 for fiscal
- 6 year 2000, and such sums as may be necessary for each
- 7 fiscal year thereafter".
- 8 SEC. 206. EFFECTIVE DATE.
- 9 This title, and the amendments made by this title,
- 10 shall take effect on October 1, 1999.

11 TITLE III—CRIME PREVENTION

12 **PROGRAM**

- 13 SEC. 301. GRANTS TO PUBLIC AND PRIVATE AGENCIES.
- 14 Title II of the Juvenile Justice and Delinquency Pre-
- 15 vention Act of 1974 (42 U.S.C. 5611 et seq.) is
- 16 amended—
- 17 (1) by redesignating the second part designated
- as part I as part K; and
- 19 (2) by inserting after the first part designated
- as part I the following:
- 21 "PART J—AFTER SCHOOL CRIME PREVENTION
- 22 "SEC. 292. GRANTS TO PUBLIC AND PRIVATE AGENCIES
- FOR EFFECTIVE AFTER SCHOOL CRIME PRE-
- 24 VENTION PROGRAMS.
- 25 "(a) IN GENERAL.—Subject to the availability of ap-
- 26 propriations, the Administrator shall make grants in ac-

- 1 cordance with this section to public and private agencies
- 2 to fund effective after school juvenile crime prevention
- 3 programs.
- 4 "(b) MATCHING REQUIREMENT.—The Administrator
- 5 may not make a grant to a public or private agency under
- 6 this section unless that agency agrees that, with respect
- 7 to the costs to be incurred by the agency in carrying out
- 8 the program for which the grant is to be awarded, the
- 9 agency will make available non-Federal contributions in
- 10 an amount that is not less than a specific percentage of
- 11 Federal funds provided under the grant, as determined by
- 12 the Administrator.
- 13 "(c) Priority.—In making grants under this sec-
- 14 tion, the Administrator shall give priority to funding pro-
- 15 grams that—
- 16 "(1) are targeted to high crime neighborhoods
- or at-risk juveniles;
- 18 "(2) operate during the period immediately fol-
- 19 lowing normal school hours;
- 20 "(3) provide educational or recreational activi-
- 21 ties designed to encourage law-abiding conduct, re-
- duce the incidence of criminal activity, and teach ju-
- veniles alternatives to crime; and

- 1 "(4) coordinate with State or local juvenile
- 2 crime control and juvenile offender accountability
- 3 programs.
- 4 "(d) Funding.—There are authorized to be appro-
- 5 priated for grants under this section \$250,000,000 for
- 6 each of fiscal years 2000, 2001, 2002, 2003, and 2004.".

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