



3

DEPARTMENT OF PARKS
AND COMMUNITY SERVICES

ROBERT P. THOMAS
DIRECTOR

G. ERLING LINGGI
ASSISTANT DIRECTOR

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
SUITE 400
SACRAMENTO, CA
95814-2977

916-449-5200

DIVISIONS:

CROCKER ART MUSEUM
GOLF
METROPOLITAN ARTS
MUSEUM & HISTORY
PARKS
RECREATION
ZOO

February 16, 1988

Law and Legislative Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: Support for the Act for Better Child Care Services Bill of 1987
(S. 1885 and H.R. 3660)

SUMMARY

The Act for Better Child Care Services Bill of 1987 helps to make child care both more accessible and affordable, especially for low- and moderate-income families, by authorizing \$2.5 billion to be given to state governments for the funding of child care services.

BACKGROUND INFORMATION:

The Act for Better Child Care Services Bill of 1987 was introduced to both the United States Senate and the House of Representatives on November 19, 1987. Exhibits A-D provide the following:

- A. Senate version of the bill;
- B. Summary of the bills prepared by the Children's Defense Fund in Washington D. C.;
- C. List of organizational support for the legislation; and
- D. List of the California Delegation Co-sponsorship.

If passed, this bill would do the following:

1. Increase the availability and affordability of child care, especially to low- and moderate-income families, by funding the expansion of existing programs;
2. Increase the quality of child care services by providing funding for training and technical assistance to child care providers, and by helping them to meet licensing standards;

3. Increase the quality of child care nation-wide by establishing federal minimum standards based on a "median" of state standards (all states will have to meet this federal minimum, and states that already have higher standards will be required to maintain those); and
4. Increase the quality of child care nation-wide by requiring each state to develop a Five-Year Child Care Plan.

This federal legislation would also complement and support the implementation of our state and local programs, including California's Greater Avenues for Independence's (GAIN) program and Sacramento's Child Care Ordinance and Five-Year Plan by providing additional funding and a national standard of commitment.

Staff recommends that a resolution of support be sent to co-sponsors of the Act for Better Child Care Services Bill of 1987. In addition copies of this resolution can then be used as a model for other cities to support this legislation, and will be given to those attending the California Association for the Education of Young Children Conference in Sacramento on March 10-13, 1987.

RECOMMENDATION

It is recommended that the Law and Legislative Committee support the Act for Better Child Care Services Bill of 1987 and refer this report to full City Council for action.

Respectfully submitted,



ROBERT P. THOMAS, Director
Parks and Community Services

BT:js

February 25, 1988
All Districts



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 100th CONGRESS, FIRST SESSION

Vol. 133

WASHINGTON, THURSDAY, NOVEMBER 19, 1987

No. 186

S 16554

Senate

BACKGROUND

By Mr. DODD (for himself, Mr. CRANSTON, Mr. CHAFER, Mr. HOLLINGS, Mr. SIMON, Mr. STAFFORD, Ms. MIKULSKI, Mr. HARKINS, Mr. REED, Mr. MATSUWAGA, Mr. MITCHELL, Mr. PELL, Mr. BRADLEY, Mr. BURDICK, Mr. MOYNIHAN, Mr. DECONCINI, Mr. RIEGLE, Mr. ADAMS, Mr. LAUTENBERG, Mr. KENNEDY, Mr. DASCHLE, Mr. WICKER, and Mr. BINGAMAN):

S. 1885. A bill to provide for a Federal program for the improvement of child care, and for other purposes; to the Committee on Labor and Human Resources.

Mr. CRANSTON. Mr. President, I am pleased today to join as an original cosponsor of S. 1885, the proposed Act for Better Child Care Services of 1987 (ABC). This measure is designed to increase the availability of child care by providing grants to State to help broaden the number and variety of child care services, to help make child care more affordable by providing new funds to subsidize services for low-income working families, and to help promote quality care by providing funding for the States to improve child care standards and enforcement mechanisms, training and technical assistance, and resource and referral programs.

The lack of adequate child care is currently one of the most serious problems facing millions of families, and it serves as a major impediment to the attainment of economic security for countless numbers of women, children, and families in this country. Today, almost two-thirds of all mothers with school age children work outside the home. Tremendous demographic changes have taken place in our society during the last decade. Yet, public policies have simply not kept pace with an evolving work force and the changing needs of American families. It is imperative that we respond now to these changes through a carefully designed, long-range initiative to help meet the ever-increasing demand for quality, affordable child care.

Mr. President, the dimensions of the child care crisis in this country are enormous. It will take the combined efforts of many segments of our society to meet this challenge. On the Federal level, we must provide leadership in developing responsive public policies to support families. Further, we must encourage State and local governmental entities, as well as employers and community organizations, to work together to help resolve this crisis.

The legislative initiative being introduced today represents the kind of collaborative effort demanded by the enormity of the problem. An alliance of a broad range of national organizations, the Alliance for Better Child Care (ABC), including child advocacy groups, women's organizations, religious groups, and professional organizations, have worked together over the past year on helping to develop this new legislative proposal.

Mr. President, I strongly support the measure being introduced today. This comprehensive response to our national child care problem promises to provide a sound and realistic approach to the growing need for American families for high quality, yet affordable, child care.

Mr. President, as chairman of the Child and Human Development Subcommittee of the Senate Committee on Labor and Human Resources during the 98th and 99th Congresses and as a member of its predecessor, the Subcommittee on Children and Youth, since its creation in the 92d Congress, I have consistently worked to protect and promote the well-being of America's children and families. Because the lack of affordable child care has been and remains one of the most pressing problems facing America's families, throughout my 19 years in the Senate I have been deeply involved in and committed to issues relating to child care services for working parents.

In past Congresses, I have sponsored and cosponsored comprehensive child care measures, ranging from the 1971 child care legislation vetoed by President Nixon to the comprehensive measure, S. 4, which I have introduced since 1979. In addition, I have sponsored and cosponsored child care measures focused upon specific areas of child care, including a pending bill, S. 934, which addresses the need for the development of model child care standards. Although we have made some progress in recent years in enacting small measures dealing with child care needs, this patchwork, incremental approach has fallen far short of what is truly necessary if we are to deal effectively with meeting the child care needs of our Nation's working families.

Today's measure represents an effort to deal with this problem in a comprehensive, coordinated fashion. It is a long-overdue step that can and must be taken.

FORMATION OF THE ALLIANCE FOR BETTER CHILD CARE

Mr. President, I want to comment briefly on development of the Alliance for Better Child Care (ABC) and the proposed Act for Better Child Care Services. As I indicated at the outset, this legislation was developed with the collaboration of a broad range of organizations participating in the Alliance for Better Child Care.

It is particularly gratifying for me to see the emergence of this broad-based coalition of organizations committed to working toward achieving a comprehensive, well-designed approach on the Federal level to addressing the child care crisis. More than a year and a half ago, I wrote to the heads of many of the national organizations involved in issues relating to child care urging that they join together to develop a comprehensive child care initiative. I believe then, as I do now, that the time is ripe for such an initiative. The idea was enthusiastically endorsed, and the formation of the Alliance for Better Child Care quickly followed.

Over the past year, my staff has worked closely with members of ABC in developing and refining the legislation which is being introduced today. The drafts of the proposed legislation were widely circulated, and numerous meetings were held both in Washington and in the field with child care experts, parents, and concerned individ-

uals so that the very best ideas and proposals could be incorporated into this legislation. When it is enacted, the Act for Better Child Care Services will move our Nation a quantum leap ahead in our efforts to address the child care crisis. This measure represents the consensus of numerous individuals and organizations who have been involved in child care issues at the local, State, and National levels.

I ask unanimous consent that a list of the members of the Alliance for Better Child Care, who have worked hard over the past year on helping develop this legislation be printed at the conclusion of my remarks.

Mr. President, I am very pleased that the chairmen of the respective subcommittees with jurisdiction over the legislation in both the House and Senate have agreed to introduce the measure and lend their strong support to this effort. With this kind of support, the ABC legislation will get the attention needed to make it a high priority measure in both Houses of Congress.

NATIONAL CHILD CARE CRISIS

Mr. President, I have had numerous opportunities to listen directly to parents who constantly struggle with child care problems. During 1986, I held an extensive series of community forums throughout the State of California focused upon the child care crisis in my own State. At these community forums, I met with and heard the concerns of hundreds of Californians regarding the inadequacy of child care services.

Mr. President, it is not an exaggeration to say that what was once a major problem is now a major crisis. During the past 7 years under the Reagan administration, the Nation's inadequate supply of child care has deteriorated even further. At the same time that the Federal Government has reduced its funding for existing child care programs, the number of mothers of young children entering the labor force has continued to grow.

In 1977, when I first began to work on a comprehensive child care proposal, an estimated 61.7 percent of the mothers of children between the ages of 6 and 17 and 37.6 percent of the mothers of children under age 6 were in the work force. Now, 10 years later the numbers have increased to 63.8 percent and 53.1 percent respectively. For 1977 these percentages translated to 22.5 million children between the ages of 6 and 17 and 6.4 million under the age of 6 with mothers in the work force. In 1987 there are 24.7 million children in the older age group and 10.5 million in the under group.

A report released last year by the Children's Defense Fund projects that if current trends continue, 34.4 million children over 6 will have a mother in the work force by 1995 and 14.6 million children under 6.

FEDERAL CHILD CARE FUNDS DRASTICALLY REDUCED

As the number of children needing care has escalated, resources for child care have been slashed. In 1981, the Social Security Act Title XX Program, the major source of direct financial assistance to child care programs, was reduced by 20 percent for fiscal year 1982 from \$3.1 to \$2.4 billion, and the \$200 million earmarked for child care was eliminated. The estimates were at

that time that some 150,000 families would lose their child care assistance under title XX as a result of those first-year Reagan cuts. Those projections have been substantiated by reports on how child care programs in various States have actually been hurt by the funding cutbacks.

Although over the past several years Congress has been able to restore some funds to title XX, following the huge cut in 1981, the fiscal year 1987 funding level of \$2.7 billion remained \$200 million below the fiscal year 1981 level of \$2.9. In real terms, adjusted for inflation, Federal funding for title XX is now only 72 percent of the 1981 level and 52 percent of the 1977 level. Given the enormous increase in the need for child care assistance for low-income families, the decrease in support for these services is simply irrational and inexplicable as a matter of public policy.

CALIFORNIA CHILD CARE NEEDS

Mr. President, as I indicated earlier, during 1986, I conducted an extensive series of community meetings about the child care crisis in California. I held 11 of these meetings specifically focused on child care issues. The number of people attending ranged from 75 to 100 to several hundred at some of these forums. Parents, child care providers, community workers, business and civic leaders, and just concerned citizens participated in these meetings.

Mr. President, California has long been recognized as a leader in the area of child care. Indeed, after World War II, when the federally funded child care programs established under the Lanham Act were shut down throughout the Nation, the State of California took over the funding of the California programs, thereby establishing a long history and tradition of support for child care in California.

Both the public and private sectors in California have contributed to building child care resources. California enjoys a unique and extensive system of child care resource and referral agencies, providing in each of the State's 58 counties a central source of information on existing child care services and resources and technical assistance to help develop new services.

Yet, by every measure, child care needs are not being met in my State. In many areas and for many children and families, the lack of child care services constitutes a crisis which threatens economic survival. The current resources fall well below the existing need for child care services. In the two areas of infant care and extended child care for school age children, the problems are particularly acute. Waiting lists are commonplace. By some estimates, 1 million more children need child care than can be accommodated by existing licensed facilities. By 1995, it has been projected that 200,000 more California children will need child care. My State, like the rest of the Nation, has simply not been able to keep pace with the escalating demand for services.

ECONOMIC IMPLICATIONS OF CHILD CARE CRISIS

Mr. President, as serious as the problems are in the supply of safe, affordable child care today, there is little doubt that the need will grow in the decade ahead.

It is important to understand that mothers are in the work force for one major reason: economic necessity. Two-thirds of the women in the work force are either sole providers or have husbands who earn less than \$15,000. In 1983, 25 percent of the married women in the work force had husbands whose earnings were less than \$10,000; 50 percent under \$20,000, and nearly 80 percent less than \$30,000. The earnings of these women play a critical role in the economic well-being of their families. For the one in six American families headed by a woman, of course, her earnings are a matter of simple survival.

The cost of child care is beyond the reach of many families. A recent study found that in San Francisco the average annual cost of child care in a family day care setting for a two-year-old is over \$4,000. That's a staggering amount for any family and especially for a low-income family. Two parents working full time at the minimum wage would spend 30 percent of their income just on child care. A single parent working at the minimum wage would expend a staggering 60 percent of wages on child care. For millions of families, child care costs rank at the top of the family budget, next to food and shelter costs.

Mr. President, although adequate child care is a matter which ought to concern every member of our society—male and female alike—there is little question that the lack of adequate child care has a major and profound impact upon the economic well-being of millions of women and children in this country.

SUMMARY OF LEGISLATION

Mr. President, the legislation we are introducing today attacks the child care crisis from a number of different approaches.

It authorizes the appropriation of \$2.5 billion to be distributed to the States to help low-income families pay for essential child care services and improve the quality of child care for all families. States receiving these funds must demonstrate their own commitment to helping to meet the child care crisis by providing a 20-percent State match.

The bulk of the funds provided—75 percent—must be used to help families earning less than 115 percent of their State median income to pay for child care. The States must establish sliding fee scales so that families on the higher end of the scale will pay more for their share of child care costs than families with less income. As a family's income grows, its contribution to

paying for child care costs would also increase. States would be required to give priority for services to those families in greatest need.

States would be encouraged to use some of the funds to maximize existing resources; for example, by requiring that a minimum of 10 percent of the funds be used to extend part-day programs like Head Start and State preschool education programs into full-day programs. The bill also provides that child care reimbursement under this program would be at the market rate for child care in the community and provides for higher reimbursement rates for services to infants and disabled children. In order to maximize parental choices, the bill authorizes the States to utilize a variety of funding mechanisms and types of child care providers, ranging from both nonprofit and profit child care centers to family day care homes.

The States would be allowed to use no more than 10 percent of their grants for administrative costs.

The remaining 15 percent of the State grants would be allocated to activities designed to improve the quality of child care services for all families.

States would be required to use a portion of this 15 percent to establish and operate child care resource and referral programs. These programs would provide a range of services to families, including providing parents with a checklist for what to look for in a child care program, providing training and technical assistance to family day care providers and centers, and offering information on how parents can get financial assistance in meeting the costs of child care. Special findings would be made available to help strengthen family day care programs, recruit new family day care providers, and provide training and other assistance to these important child care providers.

States would be required to offer training programs for all child care providers. Providers would be required to have at least 15 hours of in-service training annually.

Finally, States which receive Federal funds under this legislation would be required to meet Federal minimum child care standards. A national advisory committee would be established to develop minimum standards in five key areas: staff/child ratios, group size, parent involvement, care qualifications, and health and safety. States would be allowed a 5-year period to come into compliance with the new standards. Upon complying with the standards, the State match would drop from 20 percent to 15 percent. After 5 years, States which fail to come into compliance would be ineligible for continued funding under the new act.

Mr. President, these provisions relating to child care standards are particularly important in a time of fiscal restraints and the need for accountability for Federal expenditures. If the Federal Government is going to expend Federal funds on child care services, it needs to be assured that the funds are being utilized for good quality care. The legislation requires that States accepting these funds demonstrate a commitment to monitoring the quality of child care programs. Annual visits to child care centers must be established along with complaint procedures. Parents must be assured the right to visit a program their child is enrolled in at any time.

EXPEDITURE OF FEDERAL RESOURCES

Mr. President, in a decade of fiscal restraints and the need to reduce the mounting Federal deficit, some may question the feasibility of enacting legislation to authorize any new spending programs. Although the sponsors and supporters of the proposed Act for Better Child Care Services have not deluded themselves about the task which lies ahead, the broad support for this initiative, both within and outside Congress, demonstrates a realistic recognition of the need for child care legislation of this scope. The problems which American families face in finding adequate and affordable child care are enormous. They demand a substantial and meaningful response.

Recent public opinion polls demonstrate that the majority of Americans recognize the severity of the child care crisis and its implications for our Nation's work force and economic well-being. A poll released earlier this year indicated 71 percent of those surveyed supported increased Government resources for child care programs. The child care crisis is a problem which cannot be resolved without additional Federal assistance. The Federal Government cannot and should not bear the burden alone. But it can and should play a major role in helping make sure adequate and affordable child care is available for families struggling to stay in the work force and off the welfare rolls.

It is imperative, however, that we succeed in keeping the Federal deficit down so that we can invest the necessary resources in the well-being of children and families. Our Nation must continue to address pressing new social problems. But to do so, we must get our national budget problems resolved, and our national priorities in order. I am committed to major deficit reduction efforts so that our Nation can meet the challenges in child care, education, housing, transportation, and other critical areas that face us in the years to come.

CONCLUSION

Mr. President, there is hardly a community in this country which has not experienced a crisis in the area of child care over the past few years. Throughout the country, there are long waiting lists for admission to existing child care programs. Countless parents are forced to make-do with un-

satisfactory child care arrangements so that they can continue to work to support their families.

Over the past several months, I have made a series of statements which have appeared in the CONGRESSIONAL RECORD highlighting some of the aspects of the child care crisis. Those statements appeared on June 24 (S8620), July 1 (S9246), July 10 (S9765), July 28 (S10795), and October 15 (S14423). Among those statements, I discussed two incidents which underscore in the most dramatic way the need to provide adequate child care services. The first tragedy involved the death of two young boys in Florida. These two Miami brothers—3 and 4 years of age—were left alone while their mother was at work. The makeshift child care arrangements utilized while the boys were on a waiting list for admission to a subsidized child care program had fallen through. The boys, left alone, crawled into a clothes dryer which somehow turned on. The two had been on the waiting list for over a year along with some 6,000 other Florida youngsters.

More recently, two unattended children died in a fire in Reston, VA. The stories were remarkably similar: A working mother trying to stay off welfare, small children too young to care for themselves, waiting lists for affordable care, tragedy. If we fail to address the child care crisis in America, we run the risk of witnessing more tragedies like these. Our failure to act clearly places in jeopardy the lives of the children who are our Nation's greatest resource.

Mr. President, I believe that the measure being introduced today addresses the ever-growing need in this country for a comprehensive, coordinated approach to child care. There is simply no question that the demand and need for child care will continue to grow. If we take steps today to design an efficient and cost-effective mechanism for meeting those needs, the ultimate savings will far outweigh the short-term expenditure.

Indeed, child care itself is both a short-term and a long-term investment in the future. Short-term expenditures may be almost immediately offset by increased tax revenues derived from parent earnings and reductions in governmental subsistence and other expenditures necessitated by the effects of lack of adequate child care arrangements. Some longer term social costs, such as juvenile vandalism, delinquency, and child abuse and neglect, may also be reduced by prudent and cost-effective investments in child care today.

Mr. President, I applaud the many individuals and organizations that have provided their insights, guidance, and encouragement in the development and formulation of this legislation. I look forward to working with my colleagues and interested individuals and organizations to see that this

comprehensive child care initiative, so sorely needed, is enacted into law.

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Act for Better Child Care Services of 1987".

(b) TABLE OF CONTENTS.—

Page
Sec. 1. Short title and table of contents 1
Sec. 2. Findings and purpose
Sec. 3. Definitions
Sec. 4. Authorization of appropriations
Sec. 5. Allotments
Sec. 6. Lead agency
Sec. 7. State application and plan
Sec. 8. Special rules for use of State allotments
Sec. 9. Planning grants
Sec. 10. State licensing and enforcement efforts
Sec. 11. State interagency advisory committee on child care

Sec. 12. State advisory committee on licensing
Sec. 13. Resource and referral programs
Sec. 14. Training
Sec. 15. Federal administration of child care
Sec. 16. Federal enforcement
Sec. 17. Payment
Sec. 18. National Advisory Committee on Child Care Standards
Sec. 19. Prohibition on expenditure of funds for certain purposes
Sec. 20. Nondiscrimination
SEC. 1. FINDINGS AND PURPOSE

(a) FINDINGS.—Congress finds that—

- (1) the number of children living in homes where both parents work, or living in homes with a single parent who works, has increased dramatically over the last decade;
(2) the availability of quality child care is critical to the self-sufficiency and independence of millions of American families, including the growing number of mothers with young children who work out of economic necessity;
(3) high quality child care programs can strengthen our society by providing young children with the foundation on which to learn the basic skills necessary to be productive workers;
(4) the years from birth to age 6 are critical years in the development of a young child;
(5) high quality early childhood development programs provided during the period referred to in paragraph (4) are cost effective because such programs can reduce the chances of juvenile delinquency, adolescent pregnancy and improve the likelihood that children will finish high school and become employed;
(6) the number of quality child care arrangements falls far short of the number required for children in need of child care services;
(7) the rapid growth of participation in the laborforce by mothers of children under the age of 1 has resulted in a critical shortage of quality child care arrangements for infants and toddlers;
(8) the lack of available child care services results in many preschool and school-age children being left without adequate supervision for significant parts of the day;
(9) many working parents are unable to afford adequate child care services, and do not receive adequate financial assistance for such services from employers or public sources;
(10) a large number of parents are not able to work or to seek the training or education they need to become self sufficient because of the lack of affordable child care;
(11) making adequate child care services available for parents who are employed, seeking employment, or seeking to develop employment skills promotes and strengthens the well-being of families and the national economy;
(12) the exceptionally low salaries paid to child care workers contributes to an inordinately high rate of staff turnover in the child care field, makes it difficult to retain qualified staff, and adversely affects the quality of child care;
(13) several factors result in the shortage of quality child care options for children and parents including—
(A) the inability of parents to pay for child care;
(B) the lack of up-to-date information on child care services;
(C) the lack of training opportunities for staff in child care programs;
(D) the high rate of staff turnover in child care facilities; and
(E) the wide differences among the States in child care licensing and enforcement policies; and
(14) improved coordination of child care services will help to promote the most efficient use of child care resources.

(b) PURPOSE.—It is the purpose of this Act to—

- (1) provide assistance to States to improve the quality of, and coordination among, child care programs, and to provide additional resources for child care services;
(2) promote the availability and diversity of quality child care services for all children and families who need such services;
(3) provide assistance to families whose financial resources are not sufficient enough to enable such families to pay the full costs of necessary child care services;
(4) strengthen the functioning of the family unit by seeking to ensure that parents are not forced by lack of available programs or financial resources to place a child in an unsafe or unhealthy child care facility or arrangement;
(5) increase the opportunities for attracting and retaining qualified staff in the field of child care to provide high quality child care to children;

- (6) strengthen the competitiveness of the United States by providing young children with a sound early childhood development experience;
(7) lessen the chances that children will be left to fend for themselves for significant parts of the day; and
(8) improve the productivity of parents in the laborforce by lessening the stresses related to the absence of adequate child care.

SEC. 2. DEFINITIONS.

- As used in this Act:
(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of Child Care as established in section 15(a).
(2) CHILD CARE CERTIFICATE.—The term "child care certificate" means a certificate issued by the State that parents may use only as payment for child care services that meet the Federal, State, and local standards set forth in this Act, and that provide reimbursement to child care providers at the market rate of care.
(3) COMMUNITY-BASED ORGANIZATION.—The term "community-based organization" has the same meaning given that term by section 4(b) of the Job Training and Partnership Act (29 U.S.C. 1503(b)).
(4) ELEMENTARY SCHOOL.—The term "elementary school" means a day or residential school that provides elementary education, as determined under State law.
(5) ELIGIBLE CHILD.—The term "eligible child" means—
(A) a child age 18 or under;
(B) whose family income does not exceed 115 percent of the State median income for a family of the same size; and
(C) who resides with a parent or parents who are working, seeking employment, or enrolled in a job training or other educational program; or
(D) who resides with a parent or parents not described in subparagraph (C) but who is receiving, or is in need of receiving, protective services.
(6) ELIGIBLE PROVIDER.—The term "eligible provider" means a child care center, family day care provider, group care provider, or other facility which meets the Federal, State, and local standards set forth in this Act.
(7) FAMILY SUPPORT SERVICES.—The term "family support services" means services that assist parents by providing support in parenting and by linking parents with community resources and with other parents.
(8) FULL WORKING DAY.—The term "full working day" means a minimum of 10 hours of child care per day.
(9) HANDICAPPING CONDITION.—The term "handicapping condition" includes the same conditions set forth in section 602(a)(1) of the Education of the Handicapped Act (20 U.S.C. 1401(a)(1)).
(10) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given that term under section 481(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)(1)).
(11) LEAD AGENCY.—The term "lead agency" means the agency designated by the State under section 6.
(12) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given that term under section 1984(a)(10) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2854(a)(10)).
(13) PARENT.—The term "parent" includes a legal guardian or other person standing in loco parentis.
(14) SCHOOL AGE CHILD CARE PROGRAM.—The term "school age child care program" means programs that—
(A) operate during such times of the school day when regular instructional services are not in session;
(B) are not intended as an extension of or replacement for the regular academic program but are intended to be environments which enhance the social, emotional, and recreational development of children;
(C) include opportunities to participate in study-skill sessions, counseling, and guidance in addition to recreational activities.
(15) SECONDARY SCHOOL.—The term "secondary school" means a day or residential school which provides secondary education as determined under State law.
(16) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.
(17) SCHOOL FACILITIES.—The term "school facilities" means classrooms and related facilities used for the provision of education.
(18) SLIDING FEE SCALE.—The term "sliding fee scale" means a system of co-payments between the State and a family based on income and size of the family with the lowest income families having to pay no co-payments.
(19) STATE.—The term "State" includes the District of Columbia, the Virgin Islands, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

To carry out the provisions of this Act, there are authorized to be appropriated \$2,500,000,000 for the fiscal year 1988, and such sums as may be necessary in each of the fiscal years 1989 through 1992.

SEC. 5. ALLOTMENTS.

(a) RESERVATIONS.

(1) **TERRITORIES AND POSSESSIONS.**—The Secretary shall reserve not to exceed one half of 1 percent of the amount appropriated under section 4 in each fiscal year for payments to Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(2) **INDIANS.**—The Secretary shall reserve an amount not to exceed 3 percent of the amount appropriated pursuant to section 4 in each fiscal year, to carry out subsection (c) regarding children on Indian reservations.

(3) **SECTION 10 GRANTS.**—The Secretary shall reserve an amount not to exceed 3 percent of the amount appropriated pursuant to section 4 in each fiscal year, for grants under section 10(a)(1).

(b) STATE ALLOTMENT.

(1) **General rule.**—From the remainder of the sums appropriated under section 4 for each fiscal year, the Secretary shall allot to each State (excluding jurisdictions referred to in subsection (a)(1)) an amount equal to the sum of—

(A) an amount bearing the same ratio to 50 percent of such remainder as the product of the young child factor of the State and the allotment percentage bears to the sum of the corresponding products for all States; and

(B) an amount bearing the same ratio to 50 percent of such remainder as the product of the school lunch factor of the State and the allotment percentage bears to the sum of the corresponding products for all the States.

(2) **Young child factor.**—The term "young child factor" means the relative number of children who have not attained the age of 5 in the State as compared to the total number of children who have not attained the age of 5 in all States.

(3) **School lunch factor.**—The term "school lunch factor" means the relative number of children in the State receiving free or reduced price lunches under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.) as compared to the total number of children receiving free or reduced price lunches under such program in all States.

(4) ALLOTMENT PERCENTAGE.

(A) **In general.**—The allotment percentage of a State is determined by dividing—

(i) the per capita income for the United States; by

(ii) the per capita income for each State.

(B) **Limitations.**—If the sum as determined under subparagraph (A)—

(i) exceeds 1.2, the allotment percentage of that State shall be set at 1.2; and

(ii) is less than 0.8, the allotment percentage of the State shall be set at 0.8.

(C) **PER CAPITA INCOME.**—The per capita income of the States and of the United States shall be the average of the per capita incomes of the States and of the United States for the 3 most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the 2 fiscal years in the period beginning on the October 1 next succeeding such promulgation.

(5) **DEFINITION.**—For the purposes of this subsection, the term "States" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) **PAYMENTS FOR INDIANS ON RESERVATIONS.**—From the amounts reserved under subsection (a)(2), the Secretary shall make payments, on such terms as the Secretary determines will best carry out the purposes of this Act, to the Secretary of the Interior to enable the Secretary of the Interior to make payments for child care services for Indian children on Indian reservations.

(d) **DATA AND INFORMATION.**—Except as provided in subsection (b)(4)(B), the Secretary shall obtain from each appropriate Federal agency, the most recent data and information necessary to determine the allotments provided for in subsection (b).

(e) REALLOTMENTS.

(1) **In general.**—Any portion of the allotment to a State under subsection (b) that the Secretary determines is not required to carry out a State plan approved under section 7, in the period that the allotment is made available, shall be reallocated by the Secretary to other States in proportion to the original allotment to such States.

(2) **LIMITATION.**—The amount that another State is entitled to under paragraph (1) shall be reduced to the extent that such amount exceeds the sum that the Secretary estimates will be used in that other State to carry out a State plan approved under section 7, and the amount of such reduction shall be similarly reallocated among States in which the proportionate amount is not reduced.

(3) **AMOUNTS REALLOTTED.**—Any amount reallocated to a State under this subsection shall be deemed to be part of the original State allotment under subsection (b) for that year.

SEC. 6. LEAD AGENCY.

(a) **Designation.**—The Governor of a State desiring to participate in the program authorized by this Act shall specify in the application to the Secretary under section 7(a) an appropriate State agency that meets the requirements of subsection (b), to act as the lead State agency.

(b) **Requirements.**—The designated lead agency must have the capacity to administer the funds provided to support programs and services authorized under this Act and to oversee the plan submitted under section 7.

(2) **COORDINATION.**—The designated lead agency must have the capacity to coordinate support programs and services with those of other State and local agencies involved in providing such services to children.

(3) **ESTABLISHMENT OF POLICIES.**—The designated lead agency must have the authority to establish policies and procedures for developing and implementing interagency agreements with other agencies of the State to carry out the purposes of this Act.

(c) **DUTIES.**—The lead agency designated under subsection (a) shall—

(1) assess child care needs and resources in the State, and assess the effectiveness of existing child care services and services assisted under this Act, and under other provisions of law, in meeting such needs;

(2) develop a plan designed to meet the need for child care services within the State for eligible children, including infants, preschool children and school-age children, with special attention given to meeting the needs of services for low-income children, migrant children, children with handicapping conditions, foster children, children in need of protective services, children of adolescent parents who need child care to remain in school and children with limited English-language proficiency;

(3) develop, in consultation with the State interagency advisory committee established pursuant to section 11, the State plan submitted to the Secretary under section 7;

(4) make such periodic reports to the Secretary as the Secretary may by regulation require;

(5) hold hearings, in cooperation with the State interagency advisory committee, annually in each region of the State in order to provide the public an opportunity to comment on the provision of child care within the State under the proposed State plan; and

(6) coordinate the provision of services under this Act with other child care programs and services assisted under any State, local, or other Federal law, and with other appropriate services, including social, health, mental health, and nutrition services, available to eligible children under other Federal and State programs.

SEC. 7. STATE APPLICATION AND PLAN.

(a) **APPLICATION.**—To qualify for assistance under this Act, a State shall submit an application to the Secretary, at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

(b) **PLAN.**—The application of a State under subsection (a) shall include a State plan which covers a 3 year period and meets the requirements of subsection (c) of this section.

(c) REQUIREMENTS OF A PLAN.

(1) **LEAD AGENCY.**—The plan shall identify the lead agency designated, which meets the requirements of section 6.

(2) **ADVISORY BODIES.**—The plan shall demonstrate that the State will establish the State advisory bodies described in sections 11 and 12.

(3) **POLICIES AND PROCEDURES.**—The plan shall set forth policies and procedures designed to ensure that—

(A) all providers of child care services assisted under this Act shall be licensed or meet specified regulatory standards set forth by the State, and that all such providers shall be subject to the most comprehensive licensing requirements or regulatory standards made applicable by the State to other providers delivering child care services under the same or similar types of child care arrangements, but nothing in this paragraph shall be construed to prohibit a State from imposing more stringent standards or requirements on providers who also receive State funds to provide child care services under contractual or other agreements with the State;

(B) procedures will be established for compliance with minimum Federal standards developed pursuant to section 18, in conjunction with State licensing or regulating of child care providers;

(C) the State will not reduce the categories of child care licensed or regulated by the State on the date of enactment of this Act, nor reduce the level of standards applicable to child care provided within that State and specifically enumerated in sections 14(a) and 18(d), even if such standards exceed the minimums promulgated by the Secretary and required under this Act;

(D) funds provided under this Act will be used only to supplement or increase the level of Federal, State, and local funds expended for the support of child care services and related programs within the State;

(E) for each fiscal year, the State will use an amount not to exceed 10 percent of the amount of funds allotted to the State for such fiscal year to administer the State plan (except that American Samoa, Guam, the Virgin Islands, the Trust Territories of the Pacific Islands and the Commonwealth of the Northern Mariana Islands will use an amount not to exceed 10 percent of the funds for administrative costs);

(F) the State will make payments to programs receiving funds under this Act in a timely fashion to ensure the continuity of services to eligible children and families;

(G) the State will, in using non-Federal funds, establish a low interest loan program that will be available to nonprofit child care centers and family day care homes to help such centers and homes meet the cost of establishing child care programs and making renovations and improvements in existing facilities;

(H) the State will establish and carry out a program to make grants to nonprofit child care centers and family day care homes to help such centers and homes meet the cost of establishing child care programs and making renovations and improvements in existing facilities; and

(I) grants and loans made under this section shall be available to all child care programs to assist such programs in meeting Federal, State, and local child care standards, with priority being given to programs serving low income children.

(4) **DEFINITION.**—As used in paragraph (3)(A), the term "same or similar child care arrangements" means that all child care centers and group homes referred to in such paragraph shall be subject to the same licensing or regulatory standards, and all family day care providers referred to in such paragraph shall be subject to the same licensing or regulatory standards.

(5) **USE OF FUNDS.**—The plan shall provide that—

(A) the State will use at least 75 percent of the amount allotted to the State in any fiscal year to provide child care services that meet the requirements of this Act to eligible children, including infants, toddlers, preschool and school-age children, within the State on a sliding fee scale basis, using funding mechanisms provided for in section 8(a); and

(B) the State will use at least 10 percent of the funds reserved for the purposes specified in subparagraph (A) in any fiscal year to allow for the extension of part-day programs as described in section 8(b).

(6) **CHILD CARE ACTIVITIES.**—The plan shall provide that the State will use not more than 15 percent of the amount allotted in any fiscal year for activities to improve the quality and availability of child care for all families, including—

(A) the development and funding of State and local resource and referral systems under section 13, to provide information concerning the availability, types, costs, and locations of child care services within the State;

(B) the improvement of the quality of child care services in the State by—

(i) improving the monitoring of compliance with, and enforcement of, the licensing and regulatory requirements of the State; and

(ii) providing directly, or through grants or contracts with public or private nonprofit organizations, preservice and continuing in-service training (in accordance with the requirements of section 14, and including the scholarship provisions of such section) to child care staff and personnel in centers and other settings;

(C) ensuring that sufficient funds are available to enable family day care providers and centers that meet the requirements of this Act and applicable State and local law, to comply with the minimum child care standards for safety and health established under section 18(d); and

(D) ensuring adequate salaries, and compensation for full and part-time staff in child care programs serving eligible children under this Act.

(7) DISTRIBUTION OF FUNDS.—The plan shall provide that funds will be distributed to a variety of child care providers in each community, including child care centers and family day care providers.

(8) REIMBURSEMENT.—The plan shall provide that child care services assisted by this Act shall be reimbursed at not less than the market rate for such care in the geographic area within the State in which child care is being provided, and reimbursement will reflect the additional cost to the provider of special services or the provider serving special populations of children, with a higher rate of reimbursement being provided for—

(A) care of children from birth to age 2;

(B) programs providing comprehensive child care and family support services to adolescent parents; and

(C) the care of handicapped children.

(9) PRIORITY.—The plan shall provide that priority shall be given, in distributing funds within the State, to child care programs that—

(A) to the maximum extent feasible, have a reasonable mix of children from different socioeconomic backgrounds, including children served under this Act;

(B) provide opportunities for parent involvement; and

(C) offer family support services.

(10) SLIDING FEE SCHEDULES.—The plan shall provide for the establishment of sliding fee schedules requiring copayments based on the services provided and the family income (adjusted for family size) for children receiving services assisted under this Act.

(11) DESCRIPTION OF PROCESS.—The plan shall describe the process the State will use to—

(A) ensure that resource and referral agencies will be made available to families in all regions of the State;

(B) ensure that programs assisted under this Act—

(i) give priority for services to children with the lowest family incomes, taking into account family size;

(ii) provide services for an adequate number of hours and days to serve the needs of working parents and other parents of eligible children;

(iii) comply with the minimum child care standards established pursuant to section 18 of this Act, except that State educational agencies providing child care services assisted by this Act may develop and enforce their own child care standards that meet or exceed the standards established under section 18, and the enforcement procedures pursuant to paragraph (12), and that meet or exceed applicable State licensing or regulatory requirements in areas not covered by the standards established under section 18; and

(iv) comply with the provisions of the State plan and other requirements of this Act, including the various prohibitions on expenditures of funds, and the nondiscrimination provisions of section 20;

(C) ensure that child care is available for parents who work nontraditional hours such as evenings and weekends;

(D) ensure that child care assisted under this Act is available to children with handicapping conditions;

(E) ensure that regulations will be issued governing the provision of school-age child care if the State does not already have such regulations;

(F) ensure that funds are made available so that training opportunities will be provided equitably to all child care providers within the State;

(G) encourage child care programs in the State to develop personnel policies that include compensated time for staff undergoing training required under this Act; and

(H) encourage adequate salaries, and other compensation for full and part-time staff in child care programs serving children assisted by this Act, and to the extent practicable, such staff in other major Federal and State child care programs, and for other child care personnel, at the option of the State.

(12) PARENTAL INVOLVEMENT.—The plan shall establish procedures for parental involvement in State and local planning, monitoring, and evaluation of child care programs and services in that State.

(13) LICENSING ENFORCEMENT.—The plan shall provide that the State, within 5 years of the date of enactment of this Act, shall have in effect licensing enforcement policies and practices that will be applicable to all licensed or regulated child care services in the State, including—

(A) a requirement that licensing staff and personnel receive training in child development, health and safety, program management, and relevant law enforcement;

(B) programs making available the training required by paragraph (A);

(C) a requirement and personnel policies to ensure that individuals hired as licensing inspectors be qualified and have inspection responsibility exclusively for child care facilities;

(D) a requirement that—

(i) licensing staff make no less than one unannounced inspection of each child care center in the State annually;

(ii) licensing staff annually make unannounced inspections of no less than 20 percent of the regulated family day care homes in the State;

(iii) inspections be conducted during the normal hours of operation of State family day care homes; and

(iv) inspections of State family day care homes be confined to areas of the family day care providers' home used to provide child care services;

(E) a requirement that the ratio of licensing staff to child care centers and family day care providers in the State be maintained at a level sufficient to enable the State to conduct inspections of child care facilities and providers on a timely basis and otherwise to comply with the enforcement requirements of this section;

(F) a requirement that licensed or regulated child care programs within the State—

(i) have written policies and program goals that are made available to parents; and

(ii) provide parents with unlimited access to child care centers or providers caring for their children during normal hours of operation or when children of such parents are in the care of such centers or providers;

(G) a procedure to address complaints that will provide a reasonable opportunity for a parent, or child care program that has been adversely affected or aggrieved by a decision of the lead agency or any program assisted under this Act, to be heard;

(H) provisions that prohibit a child care facility from taking any action against an employee of such facility that would adversely affect the employment or terms or conditions of employment of the employee because such employee reports licensing deficiencies within the program;

(I) a consumer education program designed to inform parents and the general public about licensing requirements and complaint procedures, including—

(i) a provision for unlimited parental access to child care programs or providers caring for children during the hours the program is in operation;

(ii) a requirement that child care centers and family day care homes post, on the premises, the telephone number of the appropriate regulatory agency that parents may call regarding licensing complaints; and

(iii) a requirement that the State maintain a record of parental complaints and make such information available to members of the public on request.

(14) DATA COLLECTION.—The plan shall provide for the establishment of procedures for data collection by the State designed to show—

(A) by race, sex, and ethnic origin, how the child care needs of the State are being fulfilled, including information on—

(i) the number of children being assisted with funds provided under this Act, and under other State and Federal child care and preschool programs;

(ii) the number of child care positions in the State;

(iii) the type and number of child care programs, child care providers, caregivers, and support personnel located in the State;

(iv) the regional cost of child care; and

(v) such other information as the Secretary considers necessary to establish how funds provided under this Act are being used;

(B) the extent to which the availability of child care has been increased, including the number of licensed or regulated child care slots; and

(C) how the purpose of this Act and the objectives of the State set forth in the State plan are being met, including efforts to improve the quality, availability, and accessibility of child care.

SEC. 16. SPECIAL RULES FOR USE OF STATE ALLOTMENTS.

(a) FUNDING OF CHILD CARE SERVICES.—

(1) IN GENERAL.—The child care services referred to in section 7(c)(4) that are to be provided out of the allotment to a State, shall be provided—

(A) by contracts with or grants directly to eligible child care providers (including community-based organizations), or public or private nonprofit agencies (including elementary and secondary schools and institutions of higher education), to enable such providers or agencies to operate programs directly or to subcontract with other public or private nonprofit agencies (including eligible child care providers, community-based organizations, elementary and secondary schools and institutions of higher education for the operation of such programs; or

(B) by distributing child care certificates to parents of eligible children under such terms as the Secretary may prescribe to enable the recipients of such certificates to purchase child care services that meet the requirements of this Act.

(2) LIMITATION ON CERTIFICATES.—Child care certificates authorized under paragraph (1)(B) shall be issued by a State only if a resource and referral program recognized by the State pursuant to section 13 is available to help parents locate child care services that meet the requirements of this Act.

(b) PART-DAY PROGRAMS.—

(1) IN GENERAL.—A minimum of 10 percent of the funds available for activities under section 7(c)(4)(A) shall be reserved to enable the part-day programs described in paragraph (2) to extend existing hours of operation and provide full day child care services throughout the year, that will meet the needs of working parents and other parents of children eligible for services assisted by this Act.

(2) ELIGIBLE PROGRAMS.—The part-day programs referred to in paragraph (1) include—

(A) schools and nonprofit child care programs including community-based organizations receiving State or local funds designated for preschool;

(B) programs established under the Head Start Act (42 U.S.C. 9831 et seq.);

(C) preschool programs assisted under chapter 1 of the Education Consolidation and Improvement Act of 1981 (20 U.S.C. 3801 et seq.); and

(D) preschool programs for handicapped children.

AVAILABILITY OF PLANNING GRANTS

SEC. 17. PLANNING GRANTS.

(a) IN GENERAL.—A State desiring to participate in the programs authorized by this Act that cannot fully satisfy the requirements of the State plan under section 7 without financial assistance may, in the first year that the State participates in the programs, apply to the Secretary for a planning grant.

(b) AUTHORIZATION.—The Secretary is authorized to make a planning grant to a State described in subsection (a) if the Secretary determines that—

(1) the grant would enable the State to fully satisfy the requirements of a State plan under section 7; and

(2) the State will apply, within a 3 month period after receiving a grant, for the remainder of the allotment that the State is entitled to for that fiscal year.

(c) AMOUNT OF GRANT.—A grant made to a State under this section shall not exceed 1 percent of the total allotment that the State would qualify for in that fiscal year if the State fully satisfied the requirements of section 7 of this Act.

(d) LIMITATION ON ADMINISTRATIVE COSTS.—A grant made under this section shall be counted as an expenditure for administrative costs by the State for the purposes of determining the compliance by the State with the limitation on administrative costs imposed under section 7(c)(3)(E) of this Act.

SEC. 18. STATE LICENSING AND ENFORCEMENT EFFORTS.

(a) COMPLIANCE WITH CHILD CARE STANDARDS.—During the 5 year period after the establishment of final minimum child care standards pursuant to section 18, a State receiving funds under this Act that is not in compliance with such standards shall use a portion of the funds available to the State under section 7(c)(5) to enable the State to comply with such child care standards. Funds under this section shall be used to—

(1) improve the quality of child care within the State; and

(2) carry out plans to improve the licensing, regulating, monitoring, and enforcement of the child care programs of the State, including the hiring and training of licensing and regulatory staff.

(b) CONTINUING ELIGIBILITY.—No State shall be eligible for assistance under this Act after the fifth year after issuance by the Secretary of final minimum child care standards, unless a State can demonstrate to the satisfaction of the Secretary that all licensed and regulated child care services within the State—

(A) satisfy the minimum child care standards issued by the Secretary under section 18; and

(B) are subject to the enforcement provisions specified in the State plan.

(c) **ROBOTS START MATCH.**

(1) **IN GENERAL.**—Notwithstanding the provisions of section 17(a), if a State can demonstrate that the State satisfies the requirements of subsection (b), the amount of the non-Federal matching funds required to be provided by the State shall be reduced to 18 percent, beginning with the first full fiscal year in which such requirements were met.

(2) **GRANT ELIGIBILITY.**—A State eligible for a reduced State match under paragraph (1) shall be entitled to receive a grant in an amount equal to the amount of the reduction in the match.

SEC. 12. STATE INTERAGENCY ADVISORY COMMITTEES ON CHILD CARE.

(a) **INTERAGENCY ADVISORY COMMITTEE ON CHILD CARE.**—The Governor of a State participating in the programs authorized by this Act shall establish a State interagency advisory committee on child care to assist the lead agency in carrying out the responsibilities of the agency under this Act.

(b) **COMPOSITION.**—The State interagency advisory committee shall be composed of not less than 18 nor more than 30 members who shall include—

(1) at least 1 representative of the lead agency designated under section 6;

(2) 1 representative of each of the State departments of—

(A) human resources or social services;

(B) education;

(C) economic development; and

(D) representatives of other State agencies having responsibility for the regulation, funding, or provision of child care services within the State;

(3) at least 1 representative of child care providers;

(4) at least 1 representative of early childhood development experts;

(5) at least 1 representative of school districts and teachers involved in the provision of child care and preschool programs;

(6) at least 1 representative of resource and referral programs;

(7) 1 pediatric or other health professional;

(8) 1 representative of a citizen group concerned with child care;

(9) at least 1 representative of an organization representing child care employees;

(10) at least 1 representative of the Head Start Agency; and

(11) parents of children receiving, or in need of, child care, including at least two parents whose children are receiving or are in need of subsidized child care.

(c) **FUNCTIONS.**—The State interagency advisory committee shall—

(1) advise the lead agency on child care policies;

(2) provide the lead agency with information necessary to coordinate the provision of child care services within the State;

(3) otherwise assist the lead agency in carrying out the functions assigned to the lead agency under section 6;

(4) review and evaluate child care programs and services assisted under this Act and under other provisions of State law, in meeting the objectives of the State plan and the purpose of this Act;

(5) make recommendations on the development of State child care standards and policies;

(6) participate in the regional public hearings required under section 6(c)(3); and

(7) perform other functions to improve the quantity and quality of child care in the State.

(d) **MEETINGS.**—

(1) **IN GENERAL.**—Within 30 days after the beginning of each fiscal year, the State interagency advisory committee shall meet and establish the time, place, and manner of future meetings of the committee.

(2) **MINIMUM NUMBER OF MEETINGS.**—The State interagency advisory committee shall have at least 2 public meetings each year at which the public shall be given an opportunity to express views concerning the administration and operation of the State plan.

(e) **SERVICES AND PERSONNEL.**—

(1) **AUTHORITY.**—The lead agency is authorized to obtain the services of such personnel and to contract for such other services as may be necessary to enable the State interagency advisory committee to carry out its functions under this Act.

(2) **REIMBURSEMENT.**—Members of the State advisory committee shall be reimbursed, in accordance with standards prescribed by the Secretary, for necessary expenses incurred by such members in carrying out the duties assigned them as members of the State committee.

(3) **SUFFICIENCY OF FUNDS.**—The Secretary shall ensure that sufficient funds are made available, from funds available for the administration of the State plan, to each State committee to carry out the requirements of this section.

SEC. 13. STATE ADVISORY COMMITTEE ON LICENSING.

(a) **IN GENERAL.**—

(1) **ESTABLISHMENT.**—The Governor of each State participating in the program authorized under this Act shall establish a State committee on licensing.

(2) **TIME FOR ESTABLISHMENT.**—The first State committee on licensing shall be established and in existence at the time the State submits an application for assistance under this Act.

(b) **COMPOSITION.**—

(1) **MEMBERS.**—The State committee on licensing shall be composed of not more than 18 persons including at least 1 representative of—

(A) for-profit and nonprofit child care programs;

(B) early childhood development academicians;

(C) pediatricians;

(D) fire marshals and building inspectors;

(E) State and local health departments;

(F) different types of child care programs, including caregivers and directors of both center-based and family day care home programs;

(G) resource and referral programs; and

(H) parents of children who are currently enrolled in, or have recently been enrolled in, child care programs (including both center-based and family day care home programs).

(2) **DUAL SERVICE OF MEMBERS.**—Members of the State committee on licensing may, at the option of the State, be individuals who are also serving on the State interagency advisory committee established under section 11.

(c) **FUNCTIONS.**—

(1) **REVIEW OF LICENSING AUTHORITY.**—The State committee on licensing shall review the licensing requirements, the law, and the policies of the licensing agency or agencies regulating child care services and programs within the State for eligible children, including infants, toddlers, preschool, and school-age children, unless the State has conducted such a study within the 4 years immediately preceding the establishment of the committee under subsection (a).

(2) **REPORT.**—Not later than 18 months after designation of the State committee on licensing, the committee shall prepare and submit to the Governor a report.

(3) **CONTENT OF REPORT.**—A report prepared under paragraph (2) shall contain provisions that—

(A) separately analyzes information on center-based programs and information on family day care programs;

(B) outlines the findings and recommendations of the committee that result from the committee review under paragraph (1), including a description of the current status of child care licensing, regulating, and monitoring within the State;

(C) outlines the deficiencies in the existing licensing, regulating, and monitoring programs, including an assessment of the adequacy of staff to carry out the State program effectively, and recommendations to correct such deficiencies or to improve such licensing, regulating, and monitoring programs; and

(D) comments on the minimum child care standards promulgated by the Secretary pursuant to section 18.

(d) **RECEIPT OF REPORT BY GOVERNOR.**—Within 60 days after receiving the report from the State committee on licensing the Governor shall transmit such report to the Secretary with—

(1) the comments of the Governor; and

(2) the State plan for correcting deficiencies in, or improving the licensing, regulating, and monitoring programs as provided for under this section.

(e) **SERVICES AND PERSONNEL.**—

(1) **AUTHORITY.**—The lead agency is authorized to obtain the services of such personnel and to contract for such other services as may be necessary to enable the State committee on licensing to carry out its functions under this Act.

(2) **REIMBURSEMENT.**—Members of the State committee on licensing shall be reimbursed, in accordance with standards prescribed by the Secretary, for necessary expenses incurred by such members in carrying out the duties assigned them as members of the State committee.

(3) **SUFFICIENCY OF FUNDS.**—The Secretary shall ensure that sufficient funds are made available to a State, from funds available for the administration of the State plan, to each State committee to carry out the requirements of this section.

SEC. 14. RESOURCE AND REFERRAL PROGRAMS.

(a) **RECOGNITION.**—Each State receiving funds under this Act shall recognize private nonprofit community-based organizations, or public organizations, as resource and referral agencies for particular geographic areas within the State designated by the lead agency under section 6.

(b) **FUNDING.**—Each State receiving funds under this Act shall provide assistance to the organizations referred to in subsection (a) to enable such organizations to—

(1) identify existing child care services;

(2) provide information and referral to interested parents;

(3) provide or arrange for the provision of information, training, and technical assistance to existing and potential child care providers and others concerned with the availability of child care;

(4) provide information on the demand and supply of child care services within a community; and

(5) provide technical assistance to new child care providers to assist such providers with budgeting procedures and in understanding and complying with applicable child care regulations, relevant tax policies, and other policies affecting their operations.

(c) **RECOGNITION.**—In order to be eligible for recognition as a resource and referral agency for a designated geographic area within a State, an organization must—

(1) have a database of child care services in the community that the organization continually updates, including centers, nursery schools, and family day care services;

(2) have among the staff of the organization at least 1 individual that has expertise in child development;

(3) have the capability to provide resource and referral services in a designated geographic area;

(4) have office space in a location convenient for parents and employers;

(5) be able to respond to requests for information or assistance in a timely fashion;

(6) be committed to providing services to all segments of the general public;

(7) be a public or a not-for-profit organization located within the community to be served;

(8) be able to provide parents with a checklist to identify quality child care services;

(9) be able to provide information on the availability of child care subsidies;

(10) maintain and make publicly available on request a list of all referrals made by the resource and referral agency; and

(11) otherwise satisfy regulations promulgated by the lead agency in accordance with subsection (f) of this section.

(d) **FUNCTIONS.**—

(1) **IMPROVEMENT.**—The organization recognized as a resource and referral service shall gather, update, and provide information concerning—

(A) the types of child care services available, including services provided by individual family day providers as well as centers, and information on a range of different types of providers, community organizations, employers, and public and private institutions;

(B) the costs of available child care services;

(C) the locations in which child care services are provided;

(D) the forms of transportation available to such locations;

(E) the hours during which such child care services are available; and

(F) the children eligible to enroll for such child care services.

(2) **SUPPORT SERVICES.**—The organization recognized as a resource and referral service shall provide directly, or through subcontract, the training, technical assistance, and support services that a State receiving funds under this Act is required to make available to family day care providers.

(e) **LIMITATION ON INFORMATION.**—In carrying out the provisions of subsection (d), the organization shall not provide information concerning any child care program or services which are not in compliance with the laws of the State and localities in which such services are provided.

(f) **REGULATIONS.**—Each State shall develop regulations to provide guidance to resource and referral agencies within the State, considering the model regulations developed by the National Advisory Committee pursuant to section 18(c)(3).

HW. 11. TRAINING.

(a) **MINIMUM REQUIREMENT.**—A State receiving funds under this Act shall require that all employed or self-employed persons providing licensed or regulated child care in the State complete at least 15 hours per year of inservice, continuing education, or other training in the areas described in this section, and shall ensure that such training is available.

(b) **GRANTS, ASSISTANCE, AND CLEARINGHOUSE.**—

(1) **GRANTS AND CONTRACTS.**—The State shall make grants to, and enter into contracts with—

(A) State and local public agencies, private nonprofit organizations, and institutions of higher education to develop and coordinate a system of child care provider training programs under which preservice and continuing inservice training is provided to caregivers, teachers, administrative personnel, staff of resource and referral programs, and others involved in providing child care in the State; and

(B) appropriate nonprofit organizations, including resource and referral organizations, child care food program sponsors, and family day care associations, to enable such agencies to provide training and technical assistance to family day care providers.

(2) REQUIREMENTS OF CERTAIN GRANTS.—Each recipient of a grant under paragraph (1)(B) shall—

(A) recruit and train new family day care providers, including providers with the capacity to provide night-time child care and emergency child care at irregular hours (as well as emergency care for sick children);

(B) provide ongoing training to family day care providers, including specialized training in working with infants;

(C) operate resource centers to make available to family day care providers developmentally appropriate curriculum materials;

(D) operate a system of substitute caregivers;

(E) furnish technical assistance to providers to assist such providers in understanding and complying with local regulations and relevant tax and other policies, and in meeting State licensing, registration, or other requirements pertaining to family day care;

(F) provide subgrants to family day care providers for the purchase of moderate cost equipment; and

(G) provide such other support to family day care providers in their communities as the State agency determines to be appropriate.

(3) ASSISTANCE.—The State shall provide scholarship assistance to—

(A) individuals seeking a Child Development Associate credential for center-based or family day care whose income does not exceed, by more than 50 percent, the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), in amounts sufficient to cover the costs involved in securing such credentials; and

(B) individuals seeking to meet the inservice training requirements of subsection (a) of this section.

(4) CLEARINGHOUSE.—The State shall establish within the lead agency a clearinghouse to collect and disseminate training materials to resource and referral agencies and child care providers throughout the State.

(c) SCOPE OF TRAINING.—

(1) IN GENERAL.—Training opportunities provided to enable caregivers to meet the requirements established under subsection (a) must offer a variety of options. Such training may include—

(A) attendance at workshops and seminars;

(B) visits to other programs;

(C) access to resource materials; and

(D) inservice sessions or enrollment in courses at community colleges or technical schools.

(2) CONTENT OF TRAINING.—Such training shall address—

(A) the provision of services as appropriate to special populations of children, including disabled children, migrant children, and children with limited English language proficiency;

(B) health and safety, including training in first aid, the recognition of communicable diseases, and child abuse detection and prevention;

(C) child growth and development;

(D) guidance and discipline techniques;

(E) planning learning activities;

(F) linkages with community services; and

(G) communication with families.

SEC. 15. FEDERAL ADMINISTRATION OF CHILD CARE.

(a) ADMINISTRATOR OF CHILD CARE.—The Secretary shall establish within the Department of Health and Human Services an Administrator of Child Care who shall have the responsibility to carry out the provisions of this Act.

(b) DUTIES.—The Administrator shall—

(1) coordinate all activities of the Department relating to child care, and coordinate such activities with similar activities of other Federal agencies;

(2) annually collect and publish State child care standards and periodic modifications to such standards;

(3) evaluate the performance of programs and projects carried on with funds provided under this Act;

(4) act as a clearinghouse to collect and disseminate child care training materials and studies of the salaries of child care workers; and

(5) issue, amend, or rescind regulations to carry out the provisions of this Act, except that the Secretary shall not issue any regulations to the standards promulgated pursuant to section 18 of this Act that would make such standards any less comprehensive or stringent than the standards as initially promulgated.

(c) PROCEDURES.—The regulations issued by the Administrator pursuant to this section shall include procedures for receiving, processing, and making determinations on complaints concerning the noncompliance of a State with the State plan or any of the requirements of this Act, including the non-discrimination provisions of section 20, as well as procedures for the imposition of appropriate sanctions in accordance with section 16.

(d) STAFF AND RESOURCES.—The Secretary shall make available to the Administrator such staff and resources as are necessary to carry out the functions of the Administrator under this Act.

SEC. 16. FEDERAL ENFORCEMENT.

(a) REVIEW OF STATE PLAN AND COMPLIANCE WITH SUCH.—The Secretary shall review and approve State plans submitted in accordance with section 7 and shall monitor State compliance with the provisions of this Act.

(b) NONCOMPLIANCE.—

(1) IN GENERAL.—If the Secretary, after reasonable notice and opportunity for a hearing to a State finds—

(A) that there has been a failure by the State to comply substantially with any provision or any requirements set forth in the State plan of that State; or

(B) that in the operation of any program or project funded under this Act there is a failure by the State to comply substantially with any applicable provision of this Act,

the Secretary shall notify such State of the findings and that no further payments may be made to such State under this Act (or, in the case of noncompliance by a particular program or project, that further payments to the State will be limited to programs or projects under the State plan found to be in compliance with the Act) until the Secretary is satisfied that there is no longer any such failure to comply, or that the noncompliance will be promptly corrected.

(2) ADDITIONAL SANCTIONS.—In the case of a finding of noncompliance made pursuant to this subsection, the Secretary may, in addition to the sanctions described in subsection (b), impose other appropriate sanctions, including recoupment of money improperly expended for purposes prohibited or not authorized by this Act, and disqualification from the receipt of financial assistance under this Act.

(3) NOTICE.—The notice required under paragraph (1) shall include notification to a State of any such additional sanctions being imposed.

SEC. 17. PAYMENTS.

(a) IN GENERAL.—

(1) AMOUNT OF ENTITLEMENT.—Each State having a plan approved by the Secretary under section 7 of this Act shall be entitled to payment under this section for each fiscal year in an amount (not to exceed its allotment under section 5) equal to the Federal share of the total sums to be expended by the State under the plan for the fiscal year for which the grant is made.

(2) FEDERAL SHARE.—The Federal share for each fiscal year shall be 80 percent.

(3) CONDITION OF ENTITLEMENT.—As a condition of State eligibility for payments under this section, the State shall be required to demonstrate to the satisfaction of the Secretary that the remaining 20 percent of the total expenditures of the State will be provided from other public or private non-Federal sources.

(4) LIMITATION.—A State may not require any private provider of services that is funded or seeking funds made available under this Act to furnish or contribute in cash or in kind to the State match required by this section.

(b) INSTALLMENTS.—The Secretary may make payments to a State in installments, and in advance or, subject to the requirement of section 7(c)(3)(F), by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Secretary may determine.

(c) SPENDING OF FUNDS BY STATE.—Payments to a State from the allotment under section 5 for any fiscal year may be expended by the State in that fiscal year or in the succeeding fiscal year.

SEC. 18. NATIONAL ADVISORY COMMITTEE ON CHILD CARE STANDARDS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—In order to improve the quality of child care the Secretary shall establish a National Advisory Committee on Child Care Standards, the members of which shall be representatives of—

(A) different types of child care programs;

(B) resource and referral programs;

(C) child care and early childhood development specialists;

(D) early childhood education specialists;

(E) pediatric health care and related fields;

(F) organizations representing child care employees;

(G) individuals who are experienced with regulating child care programs; and

(H) parents who have been actively involved in community child care programs.

(2) APPOINTMENT OF MEMBERS.—The Committee shall be composed of 13 members of which—

(A) 8 members shall be appointed by the President of the United States;

(B) 3 members shall be appointed by the majority leader of the Senate;

(C) 2 members shall be appointed by the minority leader of the Senate;

(D) 2 members shall be appointed by the Speaker of the House of Representatives; and

(E) 2 members shall be appointed by the minority leader of the House of Representatives.

(3) CHAIRMAN.—The Committee shall appoint a chairman from among the members of the Committee.

(4) VACANCIES.—A vacancy occurring on the Committee shall be filled in the same manner as that in which the original appointment was made.

(b) PERSONNEL, REIMBURSEMENT, AND OVERSIGHT.—

(1) PERSONNEL.—The Secretary shall make available to the National Advisory Committee adequate office facilities, personnel, technical assistance, and funds as are necessary to carry out effectively the functions of the Committee under this section.

(2) REIMBURSEMENT.—Members of the National Advisory Committee who are not regular full-time employees of the United States Government shall, while attending meetings and conferences of the National Advisory Committee or otherwise engaged in the business of the Committee (including travel time), be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service under GS-18 in section 5322 of title 5, United States Code. While serving on the business of the Committee away from the homes or regular places of business, such employees may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(3) OVERSIGHT.—The Secretary shall ensure that the National Advisory Committee is established and operated in accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2).

(c) FUNCTIONS.—The National Advisory Committee shall—

(1) review Federal policies with respect to child care services and such other data as the Committee may deem appropriate;

(2) not later than six months after the date of implementation of such policies, submit to the Secretary proposed minimum standards for child care programs (setting forth separate recommended provisions for center-based programs and for family day care programs and taking into account the different needs of infants, toddlers, preschool and school-age children); and

(3) develop and make available to lead agencies model regulations for resources and referral agencies.

(d) MINIMUM CHILD CARE STANDARDS.—The proposed minimum child care standards developed pursuant to subsection (c)(1) shall include—

(1) standards applicable to center-based programs including—

(A) group size limits in terms of the number of teachers and the number and ages of children;

(B) the maximum appropriate staff-child ratios;

(C) qualifications, training, and background of child care personnel, including ongoing training requirements for such personnel (to supplement the provisions in section 14);

(D) health and safety requirements for children and caregivers; and

(E) parental involvement in and access to child care and development programs funded under this Act; and

(2) standards applicable to family day care including—

(A) the maximum number of children which define family day care;

(B) the total number of infants permitted in care;

(C) the minimum age for caregivers; and

(D) health and safety requirements for children and caregivers.

(e) MEDIAN STANDARDS.—The National Advisory Committee shall determine and propose to the Secretary minimum standards pursuant to subsection (d)(1)(A) and (B) that reflect the median standards for all States as of the date of enactment of this Act.

(1) DISTRIBUTION AND CONSIDERATION OF STANDARDS.—

(1) WITHIN THREE MONTHS AFTER RECEIVING THE RECOMMENDATIONS OF THE NATIONAL ADVISORY COMMITTEE, THE SECRETARY SHALL ISSUE A NOTICE OF PROPOSED RULEMAKING CONCERNING THE PROPOSED STANDARDS.

(2) DISTRIBUTION.—Within 90 days of the issuance of proposed minimum child care standards, the Secretary shall—

(A) distribute the proposed standards to each lead agency and State advisory committee on licensing for comment; and

(B) publish the proposed standards in the Federal Register for public notice and comment.

(2) CONSIDERATION.—The Secretary shall, in consultation with the National Advisory Committee, take into consideration any comments received by the Secretary with respect to the standards proposed under paragraph (1), and within 180 days after publication of the proposed standards, publish in the Federal Register the final minimum child care standards.

(3) ADDITIONAL COMMENTS.—The National Advisory Committee may submit to the Secretary and to the Congress such additional comments on the final minimum child care standards published pursuant to this subsection as the National Committee considers appropriate.

(4) TERMINATION OF COMMITTEE.—The National Advisory Committee shall cease to exist 90 days after the date of publication of the final minimum child care standards.

SEC. 19. PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN PURPOSES.

(a) SECTARIAN PURPOSES OR ACTIVITIES.—

(1) GENERAL RULE.—No funds authorized by this Act shall be expended for sectarian purposes or activities.

(2) DEFINITION.—For purposes of this subsection, the term "sectarian purposes or activities" means—

(A) any program or activity that has the purpose or effect of advancing or promoting a particular religion or religion generally; or

(B) with respect to child care services performed on the premises of a pervasively sectarian institution—

(i) any such services performed in any classroom or other immediate space in which child care is provided unless all religious symbols and artifacts are covered or

have been removed from such classroom or space; or

(ii) any such services performed by persons who are otherwise employed as teachers or teachers' aides in a sectarian school of such an institution which provides full-time educational services.

(b) CAPITAL IMPROVEMENTS TO SECTARIAN INSTITUTIONS.—

(1) GENERAL RULE.—No funds provided under this Act shall be expended for capital improvements to sectarian institutions.

(2) DEFINITION.—For purposes of this subsection, the term "capital improvements to sectarian institutions" shall mean the construction, repair, or renovation of any facility located on the premises of a religious institution unless—

(A) such institution is not pervasively sectarian; and

(B) the use of such facility is permanently restricted to nonreligious purposes.

(c) TUITION.—With regard to services provided to students enrolled in grades one through 12 no funds authorized by this Act shall be expended for—

(1) any services provided to such students during the regular school day;

(2) any services for which such students receive academic credit toward graduation; or

(3) any instructional services which supplant or duplicate the academic program of any public or private school.

SEC. 20. NONDISCRIMINATION

(a) FEDERAL FINANCIAL ASSISTANCE.—Any financial assistance provided to a child care provider under this Act including, a loan, grant, or child care certificate, shall constitute Federal financial assistance within the meaning of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000e), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 794), and the regulations promulgated under such.

(b) DISCRIMINATION.—No child care provider receiving Federal financial assistance under this Act shall discriminate against any child on the basis of race, color, national origin, sex, religion, or handicap in the provision of any child care services, including admission decisions, fees, and discipline.

(c) EMPLOYMENT DISCRIMINATION.—No child care provider receiving Federal financial assistance under this Act shall engage in any employment discrimination prohibited by title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e, et seq.), notwithstanding the exemption in section 703 of such Act (42 U.S.C. 2000e-2(e)). Nor shall any such provider discriminate in employment on the basis of handicap.

LEGISLATIVE SUMMARY

The Act for Better Child Care Services would authorize \$2.5 billion (with a 30 percent state match) to help states:

Make child care more affordable for low and moderate income families;

Increase the number of child care facilities and the number of qualified day care staff available to all families;

Improve the quality of child care available to all families;

Coordinate child care resources to ensure their efficient use and help make a wide range of child care options available to parents enabling them to make the most suitable arrangements for their children.

AFFORDABILITY

The Act for Better Child Care Services would provide states with funds to make child care financial assistance available to working families with incomes up to 115 percent of a state's median income, adjusted for family size. Parents in school or training programs would also be eligible for assistance under the bill. The amount of subsidy a family receives would be based on a sliding fee scale which states would design. States would be able to decide whether to provide the assistance through contracts with child care providers or certificates given to parents.

INCREASING THE SUPPLY OF CHILD CARE

The Act for Better Child Care Services would make new federal funds available to states to help them increase the number of child care facilities and the number of qualified providers by:

Requiring states to establish grant and low-interest loan funds to start up and expand child care programs;

Allowing a portion of the funds to be used to recruit and train new family day care providers.

IMPROVING THE QUALITY OF CHILD CARE

The Act for Better Child Care Services would help states improve the quality of child care available to families by:

Making funds available to states to help them offer training and technical assistance to child care providers;

Ensuring salaries and compensation for full and part-time child care providers are adequate and attract and retain well-qualified individuals;

Requiring states to review and update their child care licensing standards periodically;

Requiring states to strengthen the basic health and safety protections for children in child care;

Allowing funds to be used to help providers meet child care standards;

Making funds available to states to help them improve the enforcement of child care standards by training and hiring additional staff to monitor child care programs;

Establishing consumer education programs to help parents make informed choices about child care and establishing state child care hot lines which parents may use for additional information on child care.

COORDINATION OF RESOURCES AND CHILD CARE SERVICES

The Act for Better Child Care Services would help states coordinate child care services, thereby helping to ensure an efficient use of resources and helping parents to gain access to the most appropriate child care services by:

Requiring that states establish interagency committees of all state agencies responsible for and interested in child care, to minimize duplication of services and resources;

Requiring that the state agency with primary responsibility for child care develop an overall child care plan for the state based on input from the Interagency Advisory Committee and the public;

Making funds available for the development of statewide networks of local resource and referral programs to help link parents with child care services;

Reserving a portion of the new child care funds to be paired with existing state and local early childhood development, Head Start, Chapter 1 and preschool handicapped program funds to extend the hours of part-day programs to meet the needs of parents who have full-time, out of home responsibility.

ALLIANCE FOR BETTER CHILD CARE, Washington, DC, November 18, 1987.

ASC MEMBERS

Amalgamated Clothing and Textile Workers Union.

American Academy of Child and Adolescent Psychiatry.

American Academy of Pediatrics.

American Association for Marriage and Family Therapy.

American Association of Psychiatric Services for Children.

American Association of University Women.

American Federation of State, County, and Municipal Employees, AFL-CIO.

American Federation of Teachers, AFL-CIO.

American Home Economics Association.
American Jewish Committee.
American Psychological Association.
American Public Welfare Association.
Americans for Democratic Action.
Association of Junior Leagues, Inc.
Bakery, Confectionery, and Tobacco Workers International Union
B'nai B'rith Women, Inc.
BPW/USA.
Camp Fire, Inc.
CATALYST.
Catholic Charities, U.S.A.
Center for Law and Social Policy.
Child Care Action Campaign.
Child Care Employees' Project.
Child Care Nutrition Program Sponsors' Forum.

Child Welfare League of America.
Children's Defense Fund.
Church Women United.
Christian Children's Fund, Inc.
Church of the Brethren.
Coalition of Labor Union Women.
Communication Workers of America.

AFL-CIO.
Community Nutrition Institute.
Council for Early Childhood Professional Recognition.

Family Resource Coalition.
Food Research Action Center.
General Board of Church and Society of the United Methodist Church.
Girls Clubs of America, Inc.
High/Scope Educational Research Foundation.

International Ladies Garment Workers' Union.
Lutheran Office for Government Affairs.
Mexican American Women's National Association.

NA'AMAT USA.
National Association of Child Care Resource and Referral Agencies (NACCRRA).
National Association for Family Day Care.
National Association for the Education of Young Children.

National Association of Community Action Agencies.
National Association of Commissions for Women.

National Association of Early Childhood Specialists in State Departments of Education.

National Association of Elementary School Principals.
National Association of Social Workers.

National Association of Hospital Affiliated Child Care Programs.
National Association of School Psychologists.

National Association of Working Women—9 to 5.
National Black Child Development Institute, Inc.

National Center for Clinical Infant Programs.

National Child Abuse Coalition.
National Coalition for Campus Child Care, Inc.

National Committee for the Prevention of Child Abuse.
National Community Action Foundation.

National Congress of Parents and Teachers.

National Council of Catholic Women.
National Council of Jewish Women.

National Council of La Raza.
National Council of Negro Women.

National Council of the Churches of Christ, Child Advocacy Project.
National Council on Family Relations.

National Education Association.
National Head Start Association.
National Jewish Community Relations Advisory Council.

National Network of Runaway and Youth Services.
National Organization for Women.

National Puerto Rican Forum.
National Women's Law Center.

NOW Legal Defense and Education Fund.
Presbyterian Church (U.S.A.).
Save the Children.

Service Employees International Union.
AFL-CIO.
Society for Research in Child Development.

Southern Association on Children Under Six.
The Children's Foundation.

Union of American Hebrew Congregations.
Unitarian Universalist Association of Congregations in North America.

United Church Board for Homeland Ministries.
United Church of Christ Coordination Center for Women's Issues.

United Church of Christ, Office for Church in Society.
United Food and Commercial Workers International Union.

United Way of America.
Women's Equity Action League.

Women's Legal Defense Fund.
YMCA of the USA.
YMCA of the USA, National Board.

SUMMARY of THE ACT FOR BETTER CHILD CARE SERVICES
OF 1987 (HR. 3860 and S.1885)

The Act for Better Child Care Services provides new funds to make child care more affordable for low and moderate income families and to increase the accessibility of quality child care for all families by:

- o Authorizing \$2.5 billion for fiscal year 1989;
- o Authorizing such sums for fiscal year 1990, 1991, 1992 and 1993;
- o Requiring a 20 percent state match;
- o Requiring that states provide assurances that these funds be used to supplement, not supplant, existing federal or state child care funds.

The Act ensures that funds will be targeted to meet the greatest need for child care by:

- o Allocating funds based on state's per capita income, the number of children under age five in the state, and the number of children receiving free and reduced price lunch.

The Act helps make child care more affordable by:

- o Reserving 75 percent of a state's allotment to help families earning up to 115 percent of their state median income purchase child care. The assistance is to be provided on a sliding fee scale basis.

The Act promotes parental choice and state flexibility by:

- o Allowing funds to be distributed by contracts, grants or through child care certificates;
- o Providing funds for resource and referral programs to be available to help parents locate child care if child care certificates are used;
- o Requiring that all child care programs provide written policies and program goals to parents;
- o Requiring that all child care programs provide unlimited parental access.

The Act helps states administer and coordinate child care policies and resources by:

- o Allowing states to designate a lead agency to administer the child care funded under the Act and develop an overall state child care plan designed to meet the need for child care services within the state for infants, preschool children and school-age children, with special attention to meeting the need for services of low-income, migrant, and disabled children, children with limited English-language proficiency, foster children, children in need of protective services, children of adolescent parents, and other groups of children having special needs. The plan also addresses the needs of children of parents who are in school or in training for employment as well as the needs of those who are employed. It must also ensure that child care is available for parents who work nontraditional hours such as evenings and weekends.
- o Reserving 10 percent of a state's allocation for administrative costs.
- o Requiring states to develop advisory committees if not already in place:
 - A state Interagency Advisory Committee bringing together the various state departments involved in child care, as well as citizens with child care/child development experience, including parents, to advise the lead agency;
 - State Advisory Committee on Licensing to review the state's child care licensing, regulations, and monitoring programs and make recommendations, if necessary, to improve protections for children;
- o requiring annual hearings in each region of the state to provide an opportunity for public comment on the status of local child care services and the proposed state child care plan.

While the bill maintains the Title XX and Head Start programs, it encourages coordination of state and local resources as well as improved early childhood development opportunities for low income and handicapped children by:

- o Reserving a minimum of 10 percent of the funds targeted to help families pay for child care services to allow the following programs to extend their existing hours to provide full day, year round child care services to meet the needs of working parents and other parents eligible under the Act:
 - State and locally funded preschool programs,
 - Preschool programs for handicapped children,
 - Head Start Programs,
 - Preschool programs funded under Chapter I,
- o Allowing State Departments of Education to develop and enforce their own set of child care standards so long as the standards meet or exceed the federal standards set out in the bill as well as other regulatory requirements not covered by the federal standards.

The Act helps strengthen the quality of child care, protect children, strengthen families and make child care more accessible to families by:

- o Giving priority to programs which provide meaningful opportunities for parent involvement as well as family support services;
- o Requiring that child care programs provide unlimited parental access;
- o Requiring that the higher costs of caring for infants, handicapped children and children of adolescent parents, as well as other children with special needs, be reflected in higher rates of reimbursement for these children;
- o Encouraging providers to serve children funded by the Act by requiring that child care services be reimbursed at no less than the market rate of care in a community;
- o Requiring that all persons providing child care in licensed or regulated programs complete a minimum of 15 hours per year of in-service continuing education training in key areas essential to working successfully with young children;

- o Making available, on the basis of need, scholarships and stipends to child care providers in order to help them meet the in-service training requirements;
- o Reserving 15 percent of a state's allocation for a range of essential services and functions, including:
 - the development and coordination of training programs for child care providers;
 - the creation of a state clearinghouse for child care training materials;
 - the creation of scholarship assistance programs for caregivers seeking to earn a Child Development Associate credential;
 - the development of a state-wide resource and referral system to help families locate care that meets their needs, to help coordinate a community's child care resources, and to provide technical assistance to child care programs in their communities;
 - the development of support networks which also provide technical assistance to family day care providers through resource and referral programs or through other community-based non-profit programs;
 - the funding of a plan to increase salaries and other compensation for caregivers working in child care programs funded under the Act;
 - grants to help child care centers and family day care homes meet regulatory requirements;
- o Developing improved protections for children in child care by:
 - requiring states to set up a process to review and strengthen their licensing laws;
 - requiring states to develop a process for writing regulations for school-age child care if no such regulations are in place;
- o Strengthening child care further by establishing a national advisory committee to recommend federal standards in key areas for all licensed child care which must be implemented by the states within five years after passage of the Act in order to continue to

be eligible for funding.

- The five key areas for child care centers include:

- (1) staff-child ratios;
- (2) group size and composition;

(Targets for (1) and (2) above to be set through a ranking process in which an assessment of state's current performance is made and a median for all states is then determined);

- (3) qualifications, training and background of child care personnel, including ongoing training requirements for such personnel;
- (4) health and safety requirements regarding children and caregivers;
- (5) parental involvement in and access to child care and development programs funded under the Act;

The four key areas to be addressed in family day care protections include:

- (1) total number of children defining family day care,
- (2) total number of infants permitted in care,
- (3) minimum age for caregivers,
- (4) health and safety requirements regarding children and caregivers;

Providing support to states which meet the federal protections by allowing a period of five years to improve their child-care programs and reducing a state's match to 15 percent when a state achieves these goals within this period;

- o Ensuring that states neither reduce the scope or types of licensed or regulated child care existing at the time of enactment of the Act nor reduce the level of specific child care state licensing protections covered in the federal minimum standards;
- o Making funds available to enable family day care providers and child care centers to come into compliance with the child care protections established for safety and health;

- o Setting standards for the enforcement of licensing and regulatory laws to ensure that children are protected, which include, at a minimum:
 - a requirement and programs to ensure that licensing staff and personnel receive training in child development, health and safety program management and relevant law enforcement;
 - a requirement and personnel policies to ensure that individuals hired as licensing inspectors be qualified and have responsibility only for inspection of child care facilities;
 - a requirement that the state's ratio of licensing staff to child care centers and family day care providers be maintained at a level sufficient to allow the state to conduct inspections of child care facilities on a timely basis;
 - a requirement that:
 - (1) licensing staff will make at least one unannounced visit annually to child care centers; and that
 - (2) licensing staff will annually make unannounced monitoring visits to no less than 20 percent of the state's regulated family day care homes;
 - a requirement for complaint procedures established by the state providing reasonable opportunities to be heard for either a parent or a child care program adversely affected or aggrieved by a decision made by the state agency or any program funded under this Act; and
 - the development of a consumer education program designed to inform parents and the general public about licensing requirements and complaint procedures, including:
 - (1) a provision for unlimited parental access to child care programs or providers caring for their children,
 - (2) a requirement that day care centers and family day care homes post a telephone number, on the premises, for parents to call regarding licensing complaints; and
 - (3) a requirement that the state compile data on complaints and publish a list of complaints;

- o Developing model standards for resource and referral programs;
- o Requiring states to develop a plan for raising wages, salaries, or other compensation for staff in child care programs subsidized by the act and, to the extent possible, staff in other child care programs.

The Act helps to increase the supply of quality child care for all families by:

- o Requiring states to describe, in their state plan, how they will establish a grant and loan program to increase the supply of child care;
- o Requiring organizations providing support to family day care providers to recruit and provide training to new family day care providers;

The Act establishes a more active federal role for child care by:

- o Requiring the Secretary of Health and Human Services to appoint an Administrator for Child Care to support state efforts.

ABC Members as of January 12, 1988

Amalgamated Clothing and Textile Workers Union
 American Academy of Child and Adolescent Psychiatry
 American Academy of Pediatrics
 American Association for Marriage and Family Therapy
 American Association of Classified School Employees
 American Association of Psychiatric Services for Children
 American Association of University Women
 American Council of Nanny Schools
 American Federation of Government Employees
 American Federation of Labor and Congress of Industrial
 Organizations (AFL-CIO)
 American Federation of State, County, and Municipal Employees,
 AFL-CIO
 American Federation of Teachers, AFL-CIO
 American Home Economics Association
 American Jewish Committee
 American Orthopsychiatric Association, Inc.
 American Postal Workers Union
 American Psychological Association
 American Public Welfare Association
 Americans for Democratic Action
 Association for Regulatory Administration in Human Services
 Association of Junior Leagues, Inc.
 Bakery, Confectionery, and Tobacco Workers International Union
 B'nai B'rith Women, Inc.
 BPW/USA
 Camp Fire, Inc.
 CATALYST
 Catholic Charities, U.S.A.
 Center for Child and Family Studies of the Far West Lab
 Center for Law and Social Policy
 Child Care Action Campaign
 Child Care Employees' Project
 Child Care Law Center
 Child Care Nutrition Program Sponsors' Forum
 Child Welfare League of America
 Children's Defense Fund
 Church Women United
 Christian Children's Fund, Inc.
 Church of the Brethren
 Coalition of Labor Union Women
 Communication Workers of America, AFL-CIO
 Community Nutrition Institute
 Conference of Mayors
 Council for Early Childhood Professional Recognition
 Council of Chief State School Officers

Family Resource Coalition
Food Research Action Center
Future Homemakers of America
General Board of Church and Society of the
 United Methodist Church
Girls Clubs of America, Inc.
High/Scope Educational Research Foundation
International Ladies Garment Workers' Union
Lutheran Office for Government Affairs
Mexican American Women's National Association
NA'AMAT USA
National Association of Child Care Resource and
 Referral Agencies (NACCRRA)
National Association for Family Day Care
National Association for the Education of Young Children
National Association of Community Action Agencies
National Association of Commissions for Women
National Association of Early Childhood Specialists
 in State Departments of Education
National Association of Elementary School Principals
National Association of Social Workers
National Association of Hospital Affiliated Child Care Programs
National Association of School Psychologists
National Association of Working Women - 9 to 5
National Black Child Development Institute, Inc.
National Center for Clinical Infant Programs
National Child Abuse Coalition
National Coalition for Campus Child Care, Inc.
National Committee for the Prevention of Child Abuse
National Community Action Foundation
National Community Education Association
National Congress of Parents and Teachers
National Consumer League
National Council of Catholic Women
National Council of Jewish Women
National Council of La Raza
National Council of Negro Women
National Council of the Churches of Christ,
 Child Advocacy Project
National Council on Family Relations
National Education Association
National Head Start Association
National Jobs With Peace Campaign
National Jewish Community Relations Advisory Council
National Network of Runaway and Youth Services
National Organization for Women
National Puerto Rican Forum
National Urban League, Inc.
National Women's Law Center
NOW Legal Defense and Education Fund
Presbyterian Church (U.S.A)
Save the Children
 chool Age Child Care Project
Service Employees International Union, AFL-CIO
Society for Research in Child Development
Southern Association on Children Under Six

The Children's Foundation
Union of American Hebrew Congregations
Unitarian Universalist Association of Congregations in North
America
United Auto Workers
United Church Board for Homeland Ministries
United Church of Christ Coordination Center for Women's Issues
United Church of Christ, Office for Church in Society
United Food and Commercial Workers International Union
United Steelworkers of America
United Way of America
Women's Equity Action League
Women's Legal Defense Fund
YMCA of the USA
YWCA of the USA, National Board

** Co-sponsors of the Act For Better Child Care Services of 1987 (as of January 14, 1988)

CALIFORNIA'S CONGRESSIONAL DELEGATION

Senators



Alan Cranston

** **Cranston, Alan (D)**
State coordinator: Jaedine Nielson
5757 W Century Blvd., #515
Los Angeles 90045 (213) 215-2186
45 Polk St.
San Francisco 94102 (415) 556-8440
880 Front St., Suite 5-S-31
San Diego 92188 (619) 293-5014

Wilson, Pete (R)
State director: Sally Rakow
450 Golden Gate Ave.
San Francisco 94102 (415) 556-4307
11111 Santa Monica Blvd., #915
Los Angeles 90025 (213) 718-1461
410 B St., Suite 2209
San Diego 92101 (619) 293-5257
1130 O St., #405
Fresno 93721 (209) 487-5727
840 Newport Center Dr., Suite 240
Newport Beach 92660 (714) 720-1474



Pete Wilson

Representatives

** **Anderson, Glenn (D-32)**
Exec. asst: Ann Ramirez
300 Long Beach Blvd.
Long Beach 90801 (213) 437-7665

Badham, Robert (R-40)
Dist. rep: Lucy Olsen
180 Newport Center Dr., #240
Newport Beach 92660 (714) 644-4040

** **Bates, Jim (D-44)**
Chief of staff: Jim Bartell
3450 College Ave., #231
San Diego 92115 (619) 287-8851

Bitenson, Anthony (D-23)
Press aide: Linda Friedman
11000 Wilshire Blvd., #14223
Los Angeles 90024 (213) 209-7801

** **Berman, Howard (D-26)**
AA: Marc Litchman
14600 Roscoe Blvd.
Panorama City 91402 (818) 891-0543

Bosco, Douglas (D-1)
Dist. AA: Tim Smith
777 Sonoma Ave., #329
Santa Rosa 95404 (707) 525-4235

** **Boxer, Barbara (D-6)**
Dist. dir: Jackie de Nevers
88 Belvedere St., #D
San Rafael 94901 (415) 457-7272

** **Brown, George Jr. (D-36)**
Dist. AA: Wilmer Carter
657 N. La Cadena Dr.
Colton 92324 (714) 825-2472

** **Pelosi, Nancy (D-5)**
AA: Devone Lokelani
450 Golden Gate Ave.
San Francisco 94102 (415) 556-4862

** **Coelho, Tony (D-15)**
Off. dir: Cynthia McDonald
415 West 18th Street
Merced 95340 (209) 383-4455

Dannemeyer, William (R-39)
AA: Wendy Lee
1235 N. Harbor Blvd., #100
Merced 95340 (209) 992-0141

Hopkins, Ronald (D-8)
Dist. rep: Donald Hopkins
201 13th St., #105
Oakland 94617 (415) 763-0370

** **Dixon, Julian (D-28)**
AA: Patricia Miller
111 N. La Brea, #301
Inglewood 90301 (213) 678-5424

Dornan, Robert (R-38)
AA: Brian O'Leary Bennett
12387 Lewis St., #203
Garden Grove 92640 (714) 971-9292

Dreier, David (R-33)
Field rep: Mark Harmsen
112 North 2nd Ave.
Covina 91723 (818) 339-9078

** **Dymally, Mervyn (D-31)**
Chief of staff: Ken Orduna
322 West Compton Blvd., #102
Compton 90220 (213) 632-4318

** **Edwards, Don (D-10)**
Dist. rep: Terry Poché
1042 W. Hedding, #100
San Jose 95126 (408) 247-1711

** **Fazio, Vic (D-4)**
Field rep: Ann Karperos
4811 Chippendale Dr., #503
Sacramento 95841 (916) 978-4381

Galleghy, Elton (R-21)
Dist. asst: Bill Tanner
21053 Devonshire St., Suite 204
Chatsworth 91311 (818) 341-2121

** **Hawkins, Augustus (D-29)**
Spec. asst: Pat Dufdulao
4509 South Broadway
Los Angeles 90037 (213) 233-0733

Harger, Wally (R-2)
Dist. rep: Fran Peace
500 Cohasset, #30
Chico 95926 (916) 893-8363

Hunter, Duncan (R-45)
Dist. admn: Frank Collins
366 South Pierce
El Cajon 92020 (619) 579-3001

** **Konnyu, Ernest (R-12)**
Dist. rep: Fred Logan
10080 N. Wolfe Rd., SW3-210
Cupertino 95014 (408) 257-7051

Lagomarsino, Robert (R-19)
Off. mgr: Al Limon
5740 Ralston St., #101
Ventura 93003 (805) 642-2200

** **Lantos, Tom (D-11)**
Dist. rep: Evelyn Szelenyi
520 S. El Camino Real, #800
San Mateo 94402 (415) 342-0300

Lehman, Richard (D-18)
Dist. admn: Cruz Bustamonte
1900 Mariposa Mall, #301
Fresno 93721 (209) 487-5760

** **Lavine, Mel (D-27)**
AA: Janet Rosenblum
5250 West Century Blvd.
Los Angeles 90045 (213) 215-2035

Lewis, Jerry (R-35)
AA: Pat Cinque
1826 Orangetree Lane, #104
Redlands 92374 (714) 792-5901

Lowery, Bill (R-41)
Dist. admn: Gene Gregston
880 Front St., 6-S-15
San Diego 92188 (619) 231-0957

Lungren, Dan (R-42)
AA: Mark Gravel
555 East Ocean Blvd.
Long Beach 90802 (213) 436-9133

** **Martinez, Matthew (D-30)**
Dist. rep: Sandy Vartanian
1712 West Beverly Blvd., #201
Montebello 90640 (213) 722-7731

** **Matsui, Robert (D-3)**
AA: 650 Capitol Mall #8058
Sacramento 95814 (916) 440-3543

McCandless, Al (R-37)
Dist. rep: Norma Pepiot
6529 Riverside Ave.
Riverside 92506 (714) 682-7127

** **Miller, George (D-7)**
Dist. dir: Mary Lansing
367 Civic Dr., #14
Pleasant Hill 94523 (415) 687-3260

** **Mineta, Norman (D-13)**
AA: Frank Stanton
1245 S. Winchester Blvd., #310
San Jose 95128 (408) 984-6045

Moorhead, Carlos (R-22)
Exec. asst: Bob Cochran
420 North Brand Blvd., #304
Glendale 91203 (818) 247-8445

Packard, Ron (R-43)
Staff asst: Terri Tkach
2121 Palomar Airport Rd., #105
Carlsbad 92009 (619) 438-0443

Panetta, Leon (D-16)
Admn: Sylvia Panetta
380 Alvarado
Monterey 93940 (408) 649-3555

Pashayan, Charles (R-17)
Off. mgr: Arlene Beazley
1702 East Bullard, #103
Fresno 93710 (209) 487-5500

** **Roybal, Edward (D-25)**
AA: Henry Lozano
300 North Los Angeles St., #7106
Los Angeles 90012 (213) 894-4870

Shumway, Norm (R-14)
Dist. Co-or: Lois Sahyoun
1150 West Robinhood, #1-A
Stockton 95207 (209) 957-7773

** **Stark, Pete (D-9)**
Dist. rep: Jo Cazenaze
22300 Foothill Blvd., #1029
Hayward 94541 (415) 635-1092

Thomas, William (R-20)
AA: Cathy Abernathy
1830 Truxtun Ave., #200
Bakersfield 93301 (805) 327-3611

** **Torres, Esteban (D-34)**
Dist. dir: Lupe De La Cruz
8819 Whittier Blvd., #101
Pico Rivera 90660 (213) 695-0702

** **Waxman, Henry (D-24)**
AA: Howard Elinson
8425 West 3rd St.
Los Angeles 90048 (213) 651-1040