

# CHILD CARE FOR WORKING FAMILIES ACT



A Campaign of Child Care Advocates and Allies  
Developed by the National Women's Law Center

## **Title I**

Amends the Child Care and Development Block Grant and provides sufficient funding so that all eligible families can get child care assistance.

## **Eligibility**

- Guarantees child care assistance to working families with children birth to 13 earning up to 150 percent of SMI.
- Establishes a sliding fee scale for families from 75 percent of SMI to 150 percent of SMI so that no family pays more than 7 percent of their family income on child care.
- No co-payment for families earning no more than 75 percent of SMI or families eligible for Head Start.
- Payment can be waived for children eligible for child protective services.
- No charges to parents allowed beyond the co-payment.

## **Workforce**

- States must base payment rates for child care on a valid and reliable cost estimation model that corresponds to differences in quality based on the state's system for measuring the quality of child care providers.
- Rates must reflect variations in the cost of child care by geographic area, type of provider, age of child, the additional cost of providing high quality and inclusive child care services for children with disabilities, infants and toddlers with disabilities and providers who meet higher standards.
- States must provide timely payment of child care services.
- Rates must be delinked from a child's occasional absences due to holidays or unforeseen circumstances such as illness.
- Payment practices must reflect generally accepted practices of child care providers in the state that serve children not needing assistance. This includes paying providers a payment rate base on the number of children enrolled, not the number of children in daily attendance.
- States must create a wage ladder for staff of eligible child care providers and ensure that payment rates of staff will support wages that are comparable to



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wages of elementary educators with similar credentials in the state and at a minimum provide a living wage for all staff of child care providers.

- States must facilitate the participation of staff of eligible child care providers in organizations that foster the development and stakeholder engagement of the child care workforce.

### Quality of Child Care

- Provides substantial federal investment in quality improvement: amount equal to 50 percent of state's total allotment in first three years; from 2021 on, provides set-aside equal to 10 percent of a state's payments in the second preceding year.
- Invests in increasing the supply and quality of child care for children in underserved areas; infants and toddlers; children with disabilities; and children in care during non-traditional hours.
- States must establish within three years a tiered and transparent system for measuring the quality of child care providers with input from a variety of stakeholders that covers child care centers and family child care homes. The system must:
  - Include a set of standards for determining the quality of a provider that uses the degree to which the provider meets national standards (which may be Head Start program performance standards or standards or national accreditation of early learning programs or other equally rigorous and evidence-based standards that are tied to child outcomes.
  - Include indicators that are appropriate for different types of providers and for different age groups while maintaining a high level of quality for all child care.
  - Includes a set of standards for care during nontraditional hours with appropriate indicators.
  - Includes a set of standards for family, friend or neighbor care for caregivers who opt not to be included in other sets of standards.
  - Provides resources to providers to increase entry-level standards over time.
- States can choose to use quality funds for fiscal year 2018 through 2020 for remodeling, renovation or repair.
- States must use quality funds to:
  - Make start-up grants for providers not yet participating in the tiered quality system including FFN providers.
  - Assist providers to move up and stay in higher tiers.
  - Improve access to child care assistance for homeless children and children in foster care.



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- Improve supply of inclusive care for children with disabilities and infants and toddlers with disabilities.
- Support some activities to support training and professional development.
- Support some activities to expand the supply of high quality care for infants and toddlers.
- Support at least one activity that offers a range of support to providers.
- States may use quality funds for activities to support a child care resource and referral system; to develop and implement systems for measuring quality; facilitate compliance with health and safety standards; evaluate child care quality; improve the quality of FFN care; establish or expand high quality and inclusive community or neighborhood based family and child development centers or family child care networks; support eligible child care providers in providing comprehensive services; and other activities.

### **Child Care for Certain Populations**

- Requires eligible providers (with the exception of FNN) to prioritize children with disabilities and infants and toddlers with disabilities in programs.
- Quality funds must be used for parents working non-traditional hours.
- States must in their plan specify whether they included in payment a rate bonus for providers serving children during non-traditional hours.
- Priority is given to increase access to programs providing high-quality and inclusive child care and development services in areas that have significant concentrations of poverty and unemployment and that do not have such programs and to children with disabilities and infants and toddlers with disabilities.

### **Prohibition on Suspensions, Expulsions, and Aversive Behavioral Interventions**

- The State plan shall provide an assurance that the State will provide assistance only to eligible child care providers that prohibit the use of suspension and expulsion of eligible children and the use of aversive behavioral interventions.

### **Payments to States**

- The federal government will match state spending on child care for children other than infants and toddlers at the Medicaid match rate (FMAP).
- For infants and toddlers, the federal government will cover 90 percent of costs and states will contribute 10 percent.



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### **Title II**

Provides \$8 billion in mandatory funds for each of 10 years for high quality prekindergarten for three and four year old children in diverse settings.

### **Title III**

Authorizes increased funding for Head Start to offer a full school year and full school day of services, and for Migrant Head Start to extend their hours.

### **Title IV**

Requires that five percent of States funds be set aside to be used by the State's lead agency for the Individuals with Disabilities Education Act to provide early intervention services for infant and toddlers with disabilities and their families in settings that provide high-quality inclusive care and for the State to provide services and supports to children with disabilities who are less than 13 in settings that provide high-quality inclusive care.

### **Title V**

Includes a Sense of the Senate about the importance of the Maternal, Infant and Early Childhood Home Visiting Program and an increase in investments in MIECHV