

116TH CONGRESS  
1ST SESSION

# S. 1403

To amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965.

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## IN THE SENATE OF THE UNITED STATES

MAY 9, 2019

Ms. DUCKWORTH (for herself, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding On-Campus  
5 Child Care to Help Student Parents Succeed Act”.

6 **SEC. 2. CHILD CARE ACCESS MEANS PARENTS IN SCHOOL.**

7 Section 419N of the Higher Education Act of 1965  
8 (20 U.S.C. 1070e) is amended—

1           (1) by striking subsection (a) and inserting the  
2 following:

3           “(a) PURPOSE.—The purpose of this section is to fa-  
4 cilitate the success of low-income parents in postsecondary  
5 education through the provision of subsidized child care  
6 services, including campus-based child care services.”;

7           (2) in subsection (b)—

8           (A) in paragraph (2), by striking subpara-  
9 graphs (A) and (B) and inserting the following:

10           “(A) MINIMUM GRANT AMOUNT.—A grant  
11 under this section shall be awarded in an  
12 amount that is not less than \$50,000.

13           “(B) CCAMPIS INCREASE.—

14           “(i) IN GENERAL.—For any fiscal  
15 year for which the amount appropriated  
16 under subsection (h) is not less than  
17 \$140,000,000, the Secretary may increase  
18 the amount of a grant awarded under this  
19 section to an eligible institution of higher  
20 education if the institution submits an ap-  
21 plication that—

22           “(I) demonstrates the success of  
23 the eligible institution of higher edu-  
24 cation in serving a significant number  
25 of low-income student parents, which

1                   may include graduation, transfer, or  
2                   retention rates for full-time and part-  
3                   time students receiving subsidies for  
4                   child care under this section;

5                   “(II) demonstrates the need for  
6                   additional funds; and

7                   “(III) provides information re-  
8                   garding the planned use of additional  
9                   funds to—

10                   “(aa) improve the quality of  
11                   a campus-based child care facil-  
12                   ity;

13                   “(bb) provide child care sub-  
14                   sidies to additional student par-  
15                   ents; or

16                   “(cc) provide support serv-  
17                   ices to student parents.

18                   “(ii) MAXIMUM AMOUNT.—The in-  
19                   crease paid to an eligible institution of  
20                   higher education under clause (i) for a fis-  
21                   cal year shall not exceed an amount equal  
22                   to 20 percent of the amount of the annual  
23                   grant payment received by the institution  
24                   under paragraph (3)(B) for the fiscal year

1 preceding the fiscal year for which the in-  
2 crease is paid.

3 “(iii) ELIGIBLE INSTITUTION OF  
4 HIGHER EDUCATION.—In this subpara-  
5 graph, the term ‘eligible institution of  
6 higher education’ means an institution of  
7 higher education that has received a grant  
8 under this section for not less than the pe-  
9 riod of 3 consecutive fiscal years preceding  
10 the fiscal year in which the increase is paid  
11 under clause (i).”;

12 (B) in paragraph (3)—

13 (i) in subparagraph (A), by striking  
14 “4 years” and inserting “5 years”; and

15 (ii) in subparagraph (B), by striking  
16 “subsection (e)(2)” and inserting “sub-  
17 section (e)(3)”;

18 (C) in paragraph (4), by striking “exceeds  
19 \$350,000” and all that follows through the pe-  
20 riod at the end and inserting “exceeds  
21 \$300,000, except for institutions that are eligi-  
22 ble for assistance under title III or V.”; and

23 (D) by striking paragraph (5) and insert-  
24 ing the following:

1           “(5) USE OF FUNDS.—Grants funds under this  
2 section shall be used by an institution of higher edu-  
3 cation to support accessible high-quality child care  
4 services for low-income parents enrolled in postsec-  
5 ondary education. Grant funds under this section  
6 may be used—

7           “(A) to support or establish a campus-  
8 based child care program primarily serving the  
9 needs of low-income students enrolled at the in-  
10 stitution of higher education;

11           “(B) to provide child care subsidies or a  
12 sliding fee scale for low-income student parents;

13           “(C) to provide affordable and accessible  
14 before and after school services for children of  
15 low-income student parents;

16           “(D) to provide support services for low-in-  
17 come student parents; or

18           “(E) to enhance the quality of campus-  
19 based child care services, including improve-  
20 ments to—

21           “(i) move to the next tier or level of  
22 the State tiered and transparent system  
23 for measuring the quality of child care pro-  
24 viders;

1           “(ii) implement the training and pro-  
2           fessional development required for child  
3           care providers through the Child Care and  
4           Development Block Grant Act of 2014  
5           (Public Law 113–186); or

6           “(iii) implement quality improvements  
7           toward achieving accreditation from a na-  
8           tionally recognized accrediting body.”;

9           (3) by striking subsection (c) and inserting the  
10          following:

11          “(c) APPLICATIONS.—

12                 “(1) IN GENERAL.—An institution of higher  
13          education desiring a grant under this section shall  
14          submit an application to the Secretary at such time,  
15          in such manner, and accompanied by such informa-  
16          tion as the Secretary may require. Such application  
17          shall—

18                         “(A) demonstrate that the institution is an  
19          eligible institution described in subsection  
20          (b)(4);

21                         “(B) specify the amount of funds re-  
22          quested;

23                         “(C) demonstrate the need of low-income  
24          students at the institution for accessible and af-

1           fordable child care services by including in the  
2           application—

3                   “(i) information regarding student de-  
4                   mographics;

5                   “(ii) an assessment of child care ca-  
6                   pacity on or near campus;

7                   “(iii) information regarding the exist-  
8                   ence of waiting lists for child care services  
9                   on or near campus;

10                   “(iv) information regarding additional  
11                   needs created by concentrations of poverty  
12                   or by geographic isolation; and

13                   “(v) other relevant data;

14                   “(D) contain a description of the activities  
15                   to be assisted, including whether the grant  
16                   funds will support an existing child care pro-  
17                   gram or a new child care program;

18                   “(E) identify the resources, including tech-  
19                   nical expertise and financial support, the insti-  
20                   tution will draw upon to support the child care  
21                   program and the participation of low-income  
22                   students in the program (such as accessing so-  
23                   cial services funding, using student activity fees  
24                   to help pay the costs of child care, using re-  
25                   sources obtained by meeting the needs of par-

1           ents who are not low-income students, and ac-  
2           cessing foundation, corporate, or other institu-  
3           tional support) and demonstrate that the use of  
4           the resources will not result in increases in stu-  
5           dent tuition;

6           “(F) contain an assurance that the institu-  
7           tion will meet the child care needs of low-in-  
8           come students through the provision of services,  
9           or through a contract for the provision of serv-  
10          ices;

11          “(G) describe the extent to which the child  
12          care program will coordinate with the institu-  
13          tion’s early childhood education curriculum, to  
14          the extent the curriculum is available, to meet  
15          the needs of the students in the early childhood  
16          education program at the institution, and the  
17          needs of the parents and children participating  
18          in the child care program assisted under this  
19          section;

20          “(H) in the case of an institution seeking  
21          assistance for a new child care program—

22               “(i) provide a timeline, covering the  
23               period from receipt of the grant through  
24               the provision of the child care services, de-  
25               lineating the specific steps the institution



1 will take to achieve the goal of providing  
2 low-income students with child care serv-  
3 ices;

4 “(ii) specify any measures the institu-  
5 tion will take to assist low-income students  
6 with child care during the period before  
7 the institution provides child care services;

8 “(iii) include a plan for identifying re-  
9 sources needed for the child care services,  
10 including space in which to provide child  
11 care services, and technical assistance if  
12 necessary; and

13 “(iv) include plans to assure quality of  
14 campus-based child care facilities;

15 “(I) in the case of an institution seeking  
16 assistance for a campus-based child care pro-  
17 gram in existence on the date of the applica-  
18 tion—

19 “(i) provide information regarding the  
20 number of low-income students served  
21 through campus-based child care on such  
22 date;

23 “(ii) provide information on the age  
24 groups of children to be served;

1           “(iii) specify any measures the institu-  
2           tion will take to assist students eligible  
3           under this section who are waitlisted for  
4           the campus-based child care program;

5           “(iv) provide information regarding  
6           the application of subsidies or a sliding fee  
7           scale for child care services;

8           “(v) specify what staff positions will  
9           be supported by funding under this sec-  
10          tion, and how those staff positions support  
11          the purpose under subsection (a);

12          “(vi) provide information on the total  
13          number of children served by the campus-  
14          based child care program, and number of  
15          children of students served; and

16          “(vii) specify if funding will be used to  
17          enhance program quality as described in  
18          subsection (b)(5)(E);

19          “(J) in the case of an institution seeking  
20          assistance that will contract for the provision of  
21          child care services—

22                 “(i) provide information on the age  
23                 groups of children to be served;

1           “(ii) provide information regarding  
2           the application of subsidies or a sliding fee  
3           scale for child care services; and

4           “(iii) provide information regarding  
5           parameters the institution will use in se-  
6           lecting child care providers in contracting  
7           for the provision of services, including—

8                   “(I) assessment of program qual-  
9                   ity; and

10                   “(II) geographic location;

11           “(K) contain an assurance that any child  
12           care facility assisted under this section will  
13           meet the applicable State and local government  
14           licensing, certification, approval, or registration  
15           requirements;

16           “(L) describe how information regarding  
17           the availability of subsidized child care will be  
18           provided to students;

19           “(M) contain an assurance that the insti-  
20           tution, when applicable, will make information  
21           available to students receiving child care serv-  
22           ices provided under this section about the eligi-  
23           bility of such students for assistance under the  
24           supplemental nutrition assistance program  
25           under the Food and Nutrition Act of 2008 (7

1 U.S.C. 2011 et seq.) and the program of block  
2 grants for States for temporary assistance for  
3 needy families established under part A of title  
4 IV of the Social Security Act (42 U.S.C. 601 et  
5 seq.);

6 “(N) contain an abstract summarizing the  
7 contents of such application and how the insti-  
8 tution intends to achieve the purpose under  
9 subsection (a); and

10 “(O) contain a plan for any child care fa-  
11 cility assisted under this section to become ac-  
12 credited within 3 years of the date the institu-  
13 tion first receives assistance under this section.

14 “(2) TECHNICAL ASSISTANCE.—The Secretary  
15 may provide technical assistance to eligible institu-  
16 tions to help such institutions qualify for, apply for,  
17 and maintain a grant under this section.”;

18 (4) by striking subsection (d) and inserting the  
19 following:

20 “(d) PRIORITY.—

21 “(1) IN GENERAL.—The Secretary shall give  
22 priority in awarding grants under this section—

23 “(A) first to institutions of higher edu-  
24 cation that submit applications describing pro-  
25 grams that leverage significant local or institu-

1           tional resources, including in-kind contribu-  
2           tions, to support the activities assisted under  
3           this section; and

4           “(B) to institutions of higher education  
5           that submit applications describing programs  
6           that utilize a sliding fee scale for child care  
7           services provided under this section in order to  
8           support a high number of low-income parents  
9           pursuing postsecondary education at the insti-  
10          tution, after the institution gives priority to in-  
11          stitutions described in subparagraph (A).

12          “(2) PROHIBITION.—The Secretary may not  
13          give priority in awarding grants under this section  
14          to institutions of higher education that propose  
15          projects that are designed to increase access to edu-  
16          cational choice.”;

17          (5) in subsection (e)—

18                 (A) in paragraph (1)(B), by striking the  
19                 semicolon at the end of clause (i) and inserting  
20                 the following: “which shall include—

21                         “(I) the number of full- and part-  
22                         time students, respectively, receiving  
23                         child care services under this section;

1           “(II) whether the institution re-  
2           stricts eligibility for child care services  
3           to only full-time students; and

4           “(III) the number of students re-  
5           ceiving child care services under this  
6           section who—

7                   “(aa) remain enrolled at the  
8                   institution during the academic  
9                   year for which they received such  
10                  services;

11                   “(bb) graduate from the in-  
12                   stitution during the academic  
13                   year for which they received such  
14                  services;

15                   “(cc) transfer to a different  
16                   institution during the academic  
17                   year for which they received such  
18                  services; or

19                   “(dd) withdrew from the in-  
20                   stitution during the academic  
21                   year for which they received such  
22                  services;”;

23                   (B) by redesignating paragraph (2) as  
24                  paragraph (3);

1 (C) by inserting after paragraph (1) the  
2 following:

3 “(2) REPORT.—

4 “(A) REPORT REQUIRED.—On an annual  
5 basis, the Secretary shall submit to the author-  
6 izing committees a report that includes—

7 “(i) a summary of the information de-  
8 scribed in paragraph (1); and

9 “(ii) each abstract submitted under  
10 subsection (c)(1)(N) by an institution of  
11 higher education that receives a grant  
12 under this section.

13 “(B) PUBLIC AVAILABILITY.—The Sec-  
14 retary shall make each report submitted under  
15 subparagraph (A) publicly available.

16 “(C) STAKEHOLDER CONSULTATION.—The  
17 Secretary shall work with relevant stakeholders  
18 to determine the manner in which the data de-  
19 scribed under subparagraph (A) is collected in  
20 order to ensure compliance with such subpara-  
21 graph.”; and

22 (D) by inserting after paragraph (3) the  
23 following:

24 “(4) TECHNICAL ASSISTANCE.—The Secretary  
25 shall provide technical assistance to institutions of

1 higher education receiving grants under this section  
2 to help such institutions meet necessary reporting  
3 requirements.”;

4 (6) by redesignating subsection (g) as sub-  
5 section (h);

6 (7) by inserting after subsection (f) the fol-  
7 lowing:

8 “(g) NONDISCRIMINATION.—No person in the United  
9 States shall, on the basis of actual or perceived race, color,  
10 religion, national origin, sex (including sexual orientation  
11 and gender identity), or disability, be excluded from par-  
12 ticipation in, be denied the benefits of, or be subjected to  
13 discrimination by any program funded, in whole or in part,  
14 with funds made available under this section or with  
15 amounts appropriated for grants, contracts, or certificates  
16 administered with such funds.”; and

17 (8) in subsection (h), as redesignated by para-  
18 graph (6), by striking “such sums as may be nec-  
19 essary for fiscal year 2009 and each of the five suc-  
20 ceeding fiscal years” and inserting “\$200,000,000  
21 for fiscal year 2020 and each succeeding fiscal  
22 year”.

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