

File No. 200741

Committee Item No. _____

Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 14, 2020

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OTHER

- Draft House Resolution 7201 _____
- _____
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Prepared by: Lisa Lew

Date: July 10, 2020

Prepared by: _____

Date: _____

1 [Urging Congress to Incorporate House Resolution 7201 (Clark) - The Child Care
2 Infrastructure Act into All Infrastructure Bills]

3 **Resolution urging Congress to incorporate language contained in House Resolution**
4 **7201, The Child Care Infrastructure Act, authored by Congresswoman Katherine Clark,**
5 **into all current and forthcoming infrastructure legislation.**

6
7 WHEREAS, The early education sector has historically been undervalued and
8 underfunded; and

9 WHEREAS, Lack of investments in infrastructure are rarely taken into account
10 including renovation, repair and new development of early education facilities; and

11 WHEREAS, In San Francisco of 81 centers serving low-income children, only 18 are
12 owned and only 71% of family child care programs are owned; and

13 WHEREAS, In a high cost county, when operators do not own their facilities, they are
14 at a disadvantage which makes the entire sector more vulnerable; and

15 WHEREAS, The pandemic has only exacerbated these challenges; and

16 WHEREAS, According to the Bipartisan Policy Center, 60% of child care programs
17 may close as a result of COVID-19; and

18 WHEREAS, Currently there are no existing dedicated federal sources of capital to help
19 Early Care and Education providers achieve developmentally appropriate, well-designed
20 facilities that adhere to health and safety standards; and

21 WHEREAS, On June 16, 2020, Congresswoman Katherine Clark introduced the Child
22 Care is Infrastructure Act, which is hereby declared to be a part of this Resolution as if set
23 forth fully herein; and

24 WHEREAS, House Resolution 7201 (H.R. 7201) is a bill that provides \$10 billion in
25 funding over the next 5 years to improve child care facilities and creates loan repayment and

1 scholarship programs to support higher education for child care educators and student
2 parents; and

3 WHEREAS, The priority for the Child Care Infrastructure Act prioritizes acquiring,
4 constructing, renovating, or improving child care facilities, including adapting, reconfiguring, or
5 expanding facilities to respond to the COVID–19 pandemic; and

6 WHEREAS, H.R. 2- The Moving Forward Act, an infrastructure bill introduced by
7 Democrats on the House Transportation and Infrastructure Committee on June 22, 2020, and
8 The Child Care for Economic Recovery Act, legislation introduced by the Appropriations and
9 Ways & Means Democrats on June 25, 2020, both make comprehensive investments and
10 infrastructure grants to stabilize the child care sector in the wake of COVID-19, which are
11 hereby declared to be a part of this resolution as if set forth fully herein; and

12 WHEREAS, H.R.7201 also authorizes up to \$35 million for education and workforce
13 development investments including the option for a student loan repayment program; and

14 WHEREAS, H.R. 7201 also directs the Government Accountability Office to study the
15 tax credit for employer-provided child care; and

16 WHEREAS, This bill reauthorizes the Child Care Access Means Parents In School
17 (CCAMPIS) grant program at \$200 million to fund campus-based child care at institutions of
18 higher education to better support parent students; and

19 WHEREAS, Funding for the Early Education would provide long-term sustainability of
20 high-quality ECE facilities; now, therefore, be it

21 RESOLVED, That the San Francisco Board of Supervisors urges Congress to invest in
22 early education including funding for infrastructure and child care facilities; and, be it

23 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress
24 include language of H.R.7201 in all infrastructure bills and pass bills that currently include said
25 language; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
2 to transmit copies of this Resolution to Congresswoman Katherine Clark, Congressman
3 Richard Neal and Kevin Brady Chair, Congresswoman Judy Chu, Congressman Jimmy
4 Gomez, and Ranking Member of the Ways and Means Committee, Chair Danny Davis and
5 Ranking Member Jackie Walorski of the Worker and Family Support Sub-committee, Speaker
6 Nancy Pelosi, Chairmen of the Education and Labor Committee Congressman Bobby Scott,
7 Subcommittee on Early Childhood, Elementary, and Secondary Education Chair,
8 Congressman Gregorio Kilili Camacho Sablan, and the House Democratic Caucus.

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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To provide assistance with respect to child care infrastructure, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. CLARK of Massachusetts introduced the following bill; which was referred to the Committee on _____

A BILL

To provide assistance with respect to child care infrastructure, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Child Care is Infrastructure Act”.

6 (b) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Early care and learning settings directly im-
9 pact the physical, behavioral, and cognitive develop-

1 ment of young children, and these settings should be
2 designed and equipped to keep children safe and
3 help children thrive.

4 (2) An investigation in 10 states conducted by
5 the Office of the Inspector General of the Depart-
6 ment of Health and Human Services found that 96
7 percent of early care and learning facilities inspected
8 during unannounced visits had at least 1 potentially
9 hazardous condition.

10 (3) Approximately 500,000 early care and
11 learning facilities are not regulated under the Safe
12 Drinking Water Act (42 U.S.C. 300f), and only 11
13 states and New York City require licensed early care
14 and learning facilities to test drinking water within
15 such facilities for lead.

16 (4) A Department of Health and Human Serv-
17 ices report from 2015 found that an estimated 2,201
18 Head Start centers needed facility improvements, in-
19 cluding improvements related to rebuilding, ren-
20 ovating, and conducting maintenance on such facili-
21 ties.

22 (5) Only 2 statewide needs assessments have
23 been conducted:

24 (A) A 2011 statewide study of Massachu-
25 setts early care and learning facilities found ex-

1 cessive levels of carbon dioxide in early care and
2 learning facilities throughout the State, insuffi-
3 cient ventilation systems, and furnishings con-
4 taining formaldehyde.

5 (B) A 2014 statewide study in Rhode Is-
6 land found that—

7 (i) all centers visited had at least one
8 playground safety hazard;

9 (ii) centers in poor condition tend to
10 serve higher rates of low-income, State-
11 subsidized children; and

12 (iii) nearly 70 percent of early learn-
13 ing centers visited had one or more issues
14 related to the overall building condition,
15 such as water stains, excessive wear, and
16 peeling paint.

17 (6) The National Children’s Facilities Network
18 estimates that the United States would require at
19 least \$17 billion to bring existing early care and
20 learning facilities up to best-practice standards.

21 (7) While data on the condition of facilities is
22 available for 2 States, it is lacking elsewhere. The
23 extent of the problem is impossible to determine
24 without a nationwide assessment of the current con-
25 dition of existing early care and learning facilities.

1 **SEC. 2. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**
2 **CARE SAFETY.**

3 (a) IN GENERAL.—Part A of title IV of the Social
4 Security Act (42 U.S.C. 601 et seq.) is amended by insert-
5 ing after section 418 the following:

6 **“SEC. 418A. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**
7 **CARE SAFETY.**

8 “(a) SHORT TITLE.—This section may be cited as the
9 ‘Infrastructure Grants to Improve Child Care Safety Child
10 Care is Infrastructure Act’.

11 “(b) NEEDS ASSESSMENTS.—

12 “(1) IMMEDIATE NEEDS ASSESSMENT.—

13 “(A) IN GENERAL.—The Secretary shall
14 conduct an immediate needs assessment of the
15 condition of child care facilities throughout the
16 United States (with priority given to child care
17 facilities that receive Federal funds), that—

18 “(i) determines the extent to which
19 the COVID–19 pandemic has created im-
20 mediate infrastructure needs, including in-
21 frastructure-related health and safety
22 needs, which must be addressed for child
23 care facilities to operate in compliance with
24 public health guidelines;

1 “(ii) considers the effects of the pan-
2 demic on a variety of child care centers, in-
3 cluding home-based centers; and

4 “(iii) considers how the pandemic has
5 impacted specific metrics, such as—

6 “(I) capacity;

7 “(II) investments in infrastruc-
8 ture changes;

9 “(III) the types of infrastructure
10 changes centers need to implement
11 and their associated costs;

12 “(IV) the price of tuition; and

13 “(V) any changes or anticipated
14 changes in the number and demo-
15 graphic of children attending.

16 “(B) TIMING.—The immediate needs as-
17 sessment should occur simultaneously with the
18 first grant-making cycle under subsection (c).

19 “(C) REPORT.—Not later than 1 year
20 after the date of the enactment of this section,
21 the Secretary shall submit to the Congress a re-
22 port containing the result of the needs assess-
23 ment conducted under subparagraph (A), and
24 make the assessment publicly available.

25 “(2) LONG-TERM NEEDS ASSESSMENT.—

1 “(A) IN GENERAL.—The Secretary shall
2 conduct a long-term assessment of the condition
3 of child care facilities throughout the United
4 States (with priority given to child care facili-
5 ties that receive Federal funds). The assess-
6 ment may be conducted through representative
7 random sampling.

8 “(B) REPORT.—Not later than 4 years
9 after the date of the enactment of this section,
10 the Secretary shall submit to the Congress a re-
11 port containing the results of the needs assess-
12 ment conducted under subparagraph (A), and
13 make the assessment publicly available.

14 “(c) CHILD CARE FACILITIES GRANTS.—

15 “(1) GRANTS TO STATES.—

16 “(A) IN GENERAL.—The Secretary may
17 award grants to States for the purpose of ac-
18 quiring, constructing, renovating, or improving
19 child care facilities, including adapting, re-
20 configuring, or expanding facilities to respond
21 to the COVID–19 pandemic.

22 “(B) PRIORITIZED FACILITIES.—The Sec-
23 retary may not award a grant to a State under
24 subparagraph (A) unless the State involved

1 agrees, with respect to the use of grant funds,
2 to prioritize—

3 “(i) child care facilities primarily serv-
4 ing low-income populations;

5 “(ii) child care facilities primarily
6 serving children who have not attained the
7 age of 5 years;

8 “(iii) child care facilities that closed
9 during the COVID–19 pandemic and are
10 unable to open without making modifica-
11 tions to the facility that would otherwise be
12 required to ensure the health and safety of
13 children and staff; and

14 “(iv) child care facilities that serve the
15 children of parents classified as essential
16 workers during the COVID–19 pandemic.

17 “(C) DURATION OF GRANTS.—A grant
18 under this subsection shall be awarded for a pe-
19 riod of not more than 5 years.

20 “(D) APPLICATION.—To seek a grant
21 under this subsection, a State shall submit to
22 the Secretary an application at such time, in
23 such manner, and containing such information
24 as the Secretary may require, which informa-
25 tion shall—

1 “(i) be disaggregated as the Secretary
2 may require; and

3 “(ii) include a plan to use a portion of
4 the grant funds to report back to the Sec-
5 retary on the impact of using the grant
6 funds to improve child care facilities.

7 “(E) PRIORITY.—In selecting States for
8 grants under this subsection, the Secretary
9 shall prioritize States that—

10 “(i) plan to improve center-based and
11 home-based child care programs, which
12 may include a combination of child care
13 and early Head Start or Head Start pro-
14 grams;

15 “(ii) aim to meet specific needs across
16 urban, suburban, or rural areas as deter-
17 mined by the State; and

18 “(iii) show evidence of collaboration
19 with—

20 “(I) local government officials;

21 “(II) other State agencies;

22 “(III) nongovernmental organiza-
23 tions, such as—

24 “(aa) organizations within
25 the philanthropic community;

1 “(bb) certified community
2 development financial institutions
3 as defined in section 103 of the
4 Community Development Bank-
5 ing and Financial Institutions
6 Act of 1994 (12 U.S.C. 4702)
7 that have been certified by the
8 Community Development Finan-
9 cial Institutions Fund (12 U.S.C.
10 4703); and

11 “(cc) organizations that
12 have demonstrated experience
13 in—

14 “(AA) providing tech-
15 nical or financial assistance
16 for the acquisition, construc-
17 tion, renovation, or improve-
18 ment of child care facilities;

19 “(BB) providing tech-
20 nical, financial, or manage-
21 rial assistance to child care
22 providers; and

23 “(CC) securing private
24 sources of capital financing
25 for child care facilities or

1 other low-income community
2 development projects; and

3 “(IV) local community organiza-
4 tions, such as—

5 “(aa) child care providers;

6 “(bb) community care agen-
7 cies;

8 “(cc) resource and referral
9 agencies; and

10 “(dd) unions.

11 “(F) CONSIDERATION.—In selecting States
12 for grants under this subsection, the Secretary
13 shall consider—

14 “(i) whether the applicant—

15 “(I) has or is developing a plan
16 to address child care facility needs;
17 and

18 “(II) demonstrates the capacity
19 to execute such a plan; and

20 “(ii) after the date the report required
21 by subsection (b)(1)(C) is submitted to the
22 Congress, the needs of the applicants
23 based on the results of the assessment.

24 “(G) DIVERSITY OF AWARDS.—In award-
25 ing grants under this section, the Secretary

1 shall give equal consideration to States with
2 varying capacities under subparagraph (F).

3 “(H) MATCHING REQUIREMENT.—

4 “(i) IN GENERAL.—As a condition for
5 the receipt of a grant under subparagraph
6 (A), a State that is not an Indian tribe
7 shall agree to make available (directly or
8 through donations from public or private
9 entities) contributions with respect to the
10 cost of the activities to be carried out pur-
11 suant to subparagraph (A), which may be
12 provided in cash or in kind, in an amount
13 equal to 10 percent of the funds provided
14 through the grant.

15 “(ii) DETERMINATION OF AMOUNT
16 CONTRIBUTED.—Contributions required by
17 clause (i) may include—

18 “(I) amounts provided by the
19 Federal Government, or services as-
20 sisted or subsidized to any significant
21 extent by the Federal Government; or

22 “(II) philanthropic or private-sec-
23 tor funds.

24 “(I) REPORT.—Not later than 6 months
25 after the last day of the grant period, a State

1 receiving a grant under this paragraph shall
2 submit a report to the Secretary as described in
3 subparagraph (D)—

4 “(i) to determine the effects of the
5 grant in constructing, renovating, or im-
6 proving child care facilities, including any
7 changes in response to the COVID–19
8 pandemic and any effects on access to and
9 quality of child care; and

10 “(ii) to provide such other information
11 as the Secretary may require.

12 “(J) AMOUNT LIMIT.—The annual amount
13 of a grant under this paragraph may not exceed
14 \$35,000,000.

15 “(2) GRANTS TO INTERMEDIARY ORGANIZA-
16 TIONS.—

17 “(A) IN GENERAL.—The Secretary may
18 award grants to intermediary organizations,
19 such as certified community development finan-
20 cial institutions, tribal organizations, or other
21 organizations with demonstrated experience in
22 child care facilities financing, for the purpose of
23 providing technical assistance, capacity build-
24 ing, and financial products to develop or finance
25 child care facilities.

1 “(B) APPLICATION.—A grant under this
2 paragraph may be made only to intermediary
3 organizations that submit to the Secretary an
4 application at such time, in such manner, and
5 containing such information as the Secretary
6 may require.

7 “(C) PRIORITY.—In selecting intermediary
8 organizations for grants under this subsection,
9 the Secretary shall prioritize intermediary orga-
10 nizations that—

11 “(i) demonstrate experience in child
12 care facility financing or related commu-
13 nity facility financing;

14 “(ii) demonstrate the capacity to as-
15 sist States and local governments in devel-
16 oping child care facilities and programs;

17 “(iii) demonstrate the ability to lever-
18 age grant funding to support financing
19 tools to build the capacity of child care
20 providers, such as through credit enhance-
21 ments;

22 “(iv) propose to meet a diversity of
23 needs across States and across urban, sub-
24 urban, and rural areas at varying types of
25 center-based, home-based, and other child

1 care settings, including early care pro-
2 grams located in freestanding buildings or
3 in mixed-use properties; and

4 “(v) propose to focus on child care fa-
5 cilities primarily serving low-income popu-
6 lations and children who have not attained
7 the age of 5 years.

8 “(D) AMOUNT LIMIT.—The amount of a
9 grant under this paragraph may not exceed
10 \$10,000,000.

11 “(3) REPORT.—Not later than the end of fiscal
12 year 2025, the Secretary shall submit to the Con-
13 gress a report on the effects of the grants provided
14 under this subsection, and make the report pub-
15 lically accessible.

16 “(d) LIMITATIONS ON AUTHORIZATION OF APPRO-
17 PRIATIONS.—

18 “(1) IN GENERAL.—To carry out this section,
19 there is authorized to be appropriated
20 \$10,000,000,000 for fiscal year 2021, which shall
21 remain available through fiscal year 2025.

22 “(2) RESERVATIONS OF FUNDS.—

23 “(A) INDIAN TRIBES.—The Secretary shall
24 reserve 3 percent of the total amount made

1 available to carry out this section, for payments
2 to Indian tribes.

3 “(B) TERRITORIES.—The Secretary shall
4 reserve 3 percent of the total amount made
5 available to carry out this section, for payments
6 to territories.

7 “(3) GRANTS FOR INTERMEDIARY ORGANIZA-
8 TIONS.—Not less than 10 percent and not more
9 than 15 percent of the total amount made available
10 to carry out this section may be used to carry out
11 subsection (c)(2).

12 “(4) LIMITATION ON USE OF FUNDS FOR
13 NEEDS ASSESSMENTS.—Not more than \$5,000,000
14 of the amounts made available to carry out this sec-
15 tion may be used to carry out subsection (b).

16 “(e) DEFINITION OF STATE.—In this section, the
17 term ‘State’ has the meaning provided in section 419, ex-
18 cept that it includes the Commonwealth of the Northern
19 Mariana Islands and any Indian tribe.”

20 (b) EXEMPTION OF TERRITORY GRANTS FROM LIM-
21 ITATION ON TOTAL PAYMENTS TO THE TERRITORIES.—
22 Section 1108(a)(2) of such Act (42 U.S.C. 1308(a)(2))
23 is amended by inserting “418A(c),” after “413(f),”

1 **SEC. 3. EARLY CHILDHOOD EDUCATOR LOAN ASSISTANCE**
2 **PROGRAM.**

3 Part Q of title III of the Public Health Service Act
4 (42 U.S.C. 280h) is amended by adding at the end the
5 following:

6 **“SEC. 399Z-3. EARLY CHILDHOOD EDUCATOR LOAN ASSIST-**
7 **ANCE PROGRAM.**

8 “(a) **AUTHORITY.**—The Secretary may carry out a
9 program of entering into contracts with eligible early
10 childhood educators under which such educators agree to
11 serve for a period of 5 years as early childhood educators
12 with a qualified employer, in consideration of the Federal
13 Government agreeing to repay, for each year of such serv-
14 ice, not more than \$6,000 of the principal and interest
15 of the educational loans of such educators.

16 “(b) **RECERTIFICATION.**—An eligible early childhood
17 educator seeking to continue to receive payments under
18 this section shall submit on an annual basis to the Sec-
19 retary such information as the Secretary may require to
20 certify that the educator is continuing to meet the criteria
21 to be considered an eligible educator.

22 “(c) **MAXIMUM AMOUNT OF LOAN.**—The total
23 amount of payments received by an eligible early childhood
24 educator under this section may not exceed the total
25 amount of the principal and interest of the educational
26 loans of such educator.

1 “(d) APPLICABILITY OF CERTAIN PROVISIONS.—The
2 following provisions of the National Health Service Corps
3 Loan Assistance Program established in subpart III of
4 part D shall apply to the program established under this
5 section in the same manner and to the same extent as
6 such provisions apply to the National Health Service
7 Corps Loan Assistance Program:

8 “(1) Paragraphs (1) through (3) of section
9 338B(c) (relating to application information, under-
10 standability, and availability).

11 “(2) Section 338B(c)(4) (relating to recruit-
12 ment and retention).

13 “(3) Section 338B(d) (relating to factors con-
14 sidered in providing contracts).

15 “(4) Section 338(e) (relating to the approval re-
16 quired for participation).

17 “(5) Section 338B(f) (relating to contents of
18 contracts).

19 “(6) Section 338B(g) (relating to payments, in-
20 cluding repayment schedule and tax liability).

21 “(e) REPORT TO CONGRESS.—Not later than 5 years
22 after the date of the enactment of this section, the Sec-
23 retary shall submit to Congress a report on the implemen-
24 tation of this section.

25 “(f) DEFINITIONS.—In this section:

1 “(1) The term ‘eligible early childhood educa-
2 tor’ means an individual that—

3 “(A) as of the date on which the agree-
4 ment referred to in subsection (a)(1) is entered
5 into—

6 “(i) has outstanding Federal direct
7 loans obtained for purposes of pursuing an
8 associate’s degree, a 4-year bachelor’s de-
9 gree, a graduate degree, or a combined
10 bachelor and master’s degree, in early
11 childhood education or a related field from
12 an accredited institution (including any
13 such loan for which the individual is en-
14 rolled in an income-based repayment plan);
15 and

16 “(ii) is in good standing with respect
17 to the loans referred to in clause (i); and
18 “(B) agrees to—

19 “(i) serve as an early childhood educa-
20 tor with a qualified employer for a period
21 of not less than 5 years; and

22 “(ii) make timely payments with re-
23 spect to the loans described in subpara-
24 graph (A)(i).

1 “(2) The term ‘qualified employer’ means a
2 childcare provider that receives or is eligible to re-
3 ceive vouchers or assistance under the Child Care
4 and Development Block Grant Act of 1990.

5 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 \$25,000,000 for each of fiscal years 2021 through 2026.”.

8 **SEC. 4. GRANTS FOR EARLY CHILDHOOD EDUCATORS.**

9 (a) IN GENERAL.—Beginning not later than 180
10 days after the date of the enactment of this Act, the Sec-
11 retary of Education (referred to in this section as the
12 “Secretary”) shall carry out a program under which the
13 Secretary makes payments to institutions of higher edu-
14 cation with a qualified early childhood educator program
15 to enable such institutions to make grants, on a competi-
16 tive basis, to eligible individuals who file an application
17 and agreement in accordance with subsections (b) and (c).

18 (b) APPLICATIONS.—

19 (1) IN GENERAL.—The Secretary shall periodi-
20 cally set dates by which eligible individuals shall file
21 applications for a grant under this section. Each eli-
22 gible individual desiring a grant under this section
23 shall file an application containing such information
24 and assurances as the Secretary may determine nec-

1 essary to enable the Secretary to carry out the func-
2 tions and responsibilities of this section.

3 (2) RENEWAL.—A grant awarded under this
4 section may be renewed for additional one-year peri-
5 ods if—

6 (A) the recipient submits a renewal appli-
7 cation containing such information and assur-
8 ances as the Secretary may determine nec-
9 essary; and

10 (B) the grant is renewed not more than
11 three times, for a total of not more than four
12 academic years for each eligible recipient.

13 (c) SERVICE OBLIGATION.—

14 (1) AGREEMENTS TO SERVE.—Each application
15 under subsection (b) shall include, or be accom-
16 panied by—

17 (A) an agreement by the applicant that—

18 (i) in the event that the applicant re-
19 ceives a grant under this section, the appli-
20 cant shall—

21 (I) serve as a full-time or part-
22 time educator in a licensed early
23 learning program for a total of not
24 less than one academic year, and four
25 additional months for each subsequent

1 grant renewal, within two years after
2 the date on which the period of time
3 covered by the grant is completed; and

4 (II) submit a certification of em-
5 ployment by the employing early
6 learning program in such form as the
7 Secretary may determine necessary;
8 and

9 (ii) in the event that the applicant is
10 determined to have failed or refused to
11 carry out such service obligation, the sum
12 of the amounts of any grants received by
13 such applicant under this section will be
14 treated as a loan and collected from the
15 applicant in accordance with paragraph (3)
16 and the regulations thereunder; and

17 (B) a plain-language disclosure form devel-
18 oped by the Secretary that clearly describes the
19 nature of the grant award, the service obliga-
20 tion, and the loan repayment requirements that
21 are the consequence of the failure to complete
22 the service obligation.

23 (2) TREATMENT OF CONCURRENT SERVICE.—

24 An individual who serves as a full or part-time edu-
25 cator in a licensed early childhood education pro-

1 gram concurrently while enrolled in a qualified early
2 childhood educator program may count such service
3 toward the fulfillment of the service obligation in the
4 agreement under paragraph (1).

5 (3) REPAYMENT FOR FAILURE TO COMPLETE
6 SERVICE.—Except as provided in paragraph (4), in
7 the event that any recipient of a grant under this
8 section fails or refuses to comply with the service ob-
9 ligation in the agreement under paragraph (1), the
10 sum of the amounts of any grants received by such
11 recipient shall, upon a determination of such a fail-
12 ure or refusal in such service obligation, be treated
13 as a Federal Direct Unsubsidized Stafford Loan
14 under part D of title IV except that—

15 (A) no interest shall accrue on such
16 amounts; and

17 (B) such amounts shall be subject to re-
18 payment in accordance with—

19 (i) an income-contingent or income-
20 based repayment plan, if the individual
21 meets the eligibility requirements for such
22 a repayment plan; and

23 (ii) such other terms and conditions
24 as are specified by the Secretary in regula-
25 tions promulgated under this section.

1 (4) HARDSHIP EXTENSION.—In the case of a
2 recipient who has made a good faith effort to find
3 employment in a licensed early learning program
4 and has been unable to acquire such employment,
5 the Secretary is authorized to provide a hardship ex-
6 tension for a period of not more than one year to
7 grant recipients who fail to complete their service re-
8 quirement within a 2 year period.

9 (d) GRANT AMOUNT.—An eligible individual selected
10 to receive a grant or a grant renewal under this section
11 shall receive a grant in an amount not to exceed \$3,000
12 for each academic year during which the individual is en-
13 rolled on a full-time or part-time basis in the qualified
14 early childhood educator program for which the grant was
15 awarded.

16 (e) GRANT DISBURSEMENT.—Payments under this
17 section shall be made in accordance with regulations pro-
18 mulgated by the Secretary for such purpose and in such
19 manner as will best accomplish the purposes of this sec-
20 tion, provided—

21 (1) any disbursement made by crediting a grant
22 recipient's account shall be limited to tuition and
23 fees and other materials necessary for the comple-
24 tion of coursework as determined by the Secretary;
25 and

1 (2) not less than 85 percent of any funds pro-
2 vided to an eligible institution under subsection (a)
3 shall be advanced to the eligible institution prior to
4 the start of each payment period and shall be based
5 upon an amount requested by the institution as
6 needed to cover the total cost of grants awarded to
7 eligible recipients until such time as the Secretary
8 determines and publishes in the Federal Register
9 with an opportunity for comment, an alternative
10 payment system that provides payments to institu-
11 tions in an accurate and timely manner, except that
12 this sentence shall not be construed to limit the au-
13 thority of the Secretary to place an institution on a
14 reimbursement system of payment.

15 (f) DIRECT PAYMENT.—Nothing in this section shall
16 be construed to prohibit the Secretary from making a
17 grant directly to an eligible individual in a case in which
18 an institution of higher education with a qualified early
19 childhood educator program does not participate in the
20 program under subsection (a).

21 (g) DEFINITIONS.—In this section:

22 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
23 individual” means an individual who is enrolled on
24 a full-time or part-time basis in a qualified early
25 childhood educator program.

1 (2) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” has the
3 meaning given that term in section 102 of the High-
4 er Education Act of 1965 (20 U.S.C. 1002).

5 (3) QUALIFIED EARLY CHILDHOOD EDUCATOR
6 PROGRAM.—The term “qualified early childhood ed-
7 ucator program” means a course of study leading to
8 an associate’s degree or a certificate in early child-
9 hood education or a related field from an institution
10 of higher education.

11 (4) LICENSED EARLY LEARNING PROGRAM.—
12 The term “licensed early learning program” means
13 any State-licensed or State-regulated program or
14 provider, regardless of setting or funding source,
15 that provides early care and education for children
16 from birth to kindergarten entry, including, but not
17 limited to, programs operated by child care centers
18 and in family child care homes.

19 (h) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There are authorized to be
21 appropriated to carry out this section \$10,000,000
22 for each of fiscal years 2021 through 2025.

23 (2) LIMITATION.—Of the amount made avail-
24 able under paragraph (1) in any fiscal year, not

1 more than 3 percent may be used for evaluation,
2 monitoring, salaries, and administrative expenses.

3 **SEC. 5. CCAMPIS REAUTHORIZATION.**

4 Section 419N of the Higher Education Act of 1965
5 (20 U.S.C. 1070e) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) by striking “The amount”
10 and inserting “Except as provided in
11 subparagraph (C), the amount”; and

12 (II) by striking “1 percent” and
13 inserting “2 percent”;

14 (ii) in subparagraph (B)(ii), by strik-
15 ing “subsection (g)” and inserting “sub-
16 section (h)”;

17 (iii) by adding at the end the fol-
18 lowing:

19 “(C) PERFORMANCE BONUS.—

20 “(i) IN GENERAL.—Notwithstanding
21 subparagraph (A), for any fiscal year for
22 which the amount appropriated under sub-
23 section (h) is not less than \$140,000,000,
24 the Secretary may pay a performance

1 bonus to an eligible institution of higher
2 education.

3 “(ii) MAXIMUM AMOUNT.—A bonus
4 paid to an eligible institution of higher
5 education under clause (i) for a fiscal year
6 shall not exceed an amount equal to 20
7 percent of the amount of the annual grant
8 payment received by the institution under
9 paragraph (3)(B) for the fiscal year pre-
10 ceding the fiscal year for which the bonus
11 is paid.

12 “(iii) USE OF BONUS.—A bonus re-
13 ceived by an institution under clause (i)
14 shall be used by the institution in the same
15 manner as a grant under this section and
16 shall be treated as grant funds for pur-
17 poses of the application of paragraph (5),
18 except that the Secretary may extend the
19 grant period as necessary for the institu-
20 tion to use such bonus.

21 “(iv) ELIGIBLE INSTITUTION OF
22 HIGHER EDUCATION.—In this subpara-
23 graph, the term ‘eligible institution of
24 higher education’ means an institution of
25 higher education that—

1 “(I) has received a grant under
2 this section for not less than the pe-
3 riod of three consecutive fiscal years
4 preceding the fiscal year in which the
5 bonus is paid under clause (i);

6 “(II) for each such preceding fis-
7 cal year, has met or exceeded the per-
8 formance levels established by the in-
9 stitution for such year under sub-
10 section (e)(1)(B)(v); and

11 “(III) has demonstrated the need
12 for such bonus.”; and

13 (B) in paragraph (3)—

14 (i) in subparagraph (A), by striking
15 “4 years” and inserting “5 years”; and

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

19 (2) by amending subsection (c) to read as fol-
20 lows:

21 “(c) APPLICATIONS.—

22 “(1) IN GENERAL.—An institution of higher
23 education desiring a grant under this section shall
24 submit an application to the Secretary at such time,
25 in such manner, and accompanied by such informa-

1 tion as the Secretary may require. Such application
2 shall—

3 “(A) demonstrate that the institution is an
4 eligible institution described in subsection
5 (b)(4);

6 “(B) specify the amount of funds re-
7 quested;

8 “(C) demonstrate the need of low-income
9 students at the institution for campus-based
10 child care services by including in the applica-
11 tion—

12 “(i) information regarding student de-
13 mographics, including whether the student
14 is a full-time or part-time student;

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

17 “(iii) information regarding the wait-
18 ing lists for child care services on or near
19 campus;

20 “(iv) information regarding additional
21 needs created by concentrations of poverty
22 or by geographic isolation;

23 “(v) information about the number of
24 low-income student parents being served

1 through campus-based child care services;

2 and

3 “(vi) other relevant data;

4 “(D) specify the estimated percentage of
5 the institution’s grant that will be used directly
6 to subsidize the fee charged for on-campus and
7 off-campus childcare, respectively, for low-in-
8 come students;

9 “(E) contain a description of the activities
10 to be assisted, including whether the grant
11 funds will support an existing child care pro-
12 gram or a new child care program;

13 “(F) identify the resources, including tech-
14 nical expertise and financial support, that the
15 institution will draw upon to support the child
16 care program and the participation of low-in-
17 come students in the program (such as access-
18 ing social services funding, using student activ-
19 ity fees to help pay the costs of child care,
20 using resources obtained by meeting the needs
21 of parents who are not low-income students,
22 and accessing foundation, corporate, or other
23 institutional support) and demonstrate that the
24 use of the resources will not result in increases
25 in student tuition;

1 “(G) contain an assurance that the institu-
2 tion will meet the child care needs of low-in-
3 come students through the provision of services,
4 or through a contract for the provision of serv-
5 ices;

6 “(H) describe the extent to which the child
7 care program will coordinate with the institu-
8 tion’s early childhood education curriculum, to
9 the extent the curriculum is available, to meet
10 the needs of the students in the early childhood
11 education program at the institution, and the
12 needs of the parents and children participating
13 in the child care program assisted under this
14 section;

15 “(I) in the case of an institution seeking
16 assistance for a new child care program—

17 “(i) provide a timeline, covering the
18 period from receipt of the grant through
19 the provision of the child care services, de-
20 lineating the specific steps the institution
21 will take to achieve the goal of providing
22 low-income students with child care serv-
23 ices;

24 “(ii) specify any measures the institu-
25 tion will take to assist low-income students

1 with child care during the period before
2 the institution provides child care services;
3 and

4 “(iii) include a plan for identifying re-
5 sources needed for the child care services,
6 including space in which to provide child
7 care services, and technical assistance if
8 necessary;

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

14 “(K) in the case of an institution that is
15 awarded a grant under this section after the
16 date of the enactment of the College Afford-
17 ability Act, provide an assurance that, not later
18 than three years after the date on which such
19 grant is awarded, any child care facility assisted
20 with such grant will—

21 “(i) meet Head Start performance
22 standards under subchapter B of chapter
23 13 of title 45, Code of Federal Regulations
24 (as in effect on the date of enactment of

1 the College Affordability Act) and any suc-
2 cessor regulations;

3 “(ii) be in the top tier of the quality
4 rating improvement system for such facili-
5 ties used by the State in which the facility
6 is located;

7 “(iii) meet the licensing requirements
8 of the State in which the facility is located
9 and the quality requirements under the
10 Child Care and Development Block Grant
11 Act of 1990 (42 U.S.C. 9858 et seq.); or

12 “(iv) be accredited by a national early
13 childhood accrediting body with dem-
14 onstrated valid and reliable program qual-
15 ity standards;

16 “(L) contain an assurance that the institu-
17 tion, when applicable, will make information
18 available to students receiving child care serv-
19 ices provided under this section about the eligi-
20 bility of such students and their dependents for
21 assistance under the supplemental nutrition as-
22 sistance program under the Food and Nutrition
23 Act of 2008 (7 U.S.C. 2011 et seq.), the special
24 supplemental nutrition program for women, in-
25 fants, and children under the Child Nutrition

1 Act of 1966 (42 U.S.C. 1786), and the pro-
2 gram of block grants for States for temporary
3 assistance for needy families established under
4 part A of title IV of the Social Security Act (42
5 U.S.C. 601 et seq.); and

6 “(M) 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).

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

14 (3) in subsection (d)—

15 (A) in the matter preceding paragraph (1),
16 by striking “to institutions of higher education
17 that submit applications describing programs
18 that”;

19 (B) by amending paragraph (1) to read as
20 follows:

21 “(1) based on the extent to which institutions
22 of higher education that submit applications for such
23 a grant leverage local or institutional resources, in-
24 cluding in-kind contributions, to support the activi-
25 ties assisted under this section;”;

1 (C) by redesignating paragraph (2) as
2 paragraph (3);

3 (D) by inserting after paragraph (1), the
4 following:

5 “(2) to institutions of higher education that,
6 compared to other institutions of higher education
7 that submit applications for such a grant, dem-
8 onstrate a high likelihood of need for campus-based
9 child care based on student demographics (such as
10 a high proportion of low-income students or inde-
11 pendent students); and”;

12 (E) in paragraph (3) (as redesignated by
13 subparagraph (C)), by inserting “to institutions
14 of higher education that submit applications de-
15 scribing programs that” before “utilize”; and
16 (4) in subsection (e)—

17 (A) in paragraph (1)(B)—

18 (i) by redesignating clauses (ii), (iii),
19 and (iv) as clauses (vi), (vii), and (viii), re-
20 spectively; and

21 (ii) by striking the semicolon at the
22 end of clause (i) and inserting the fol-
23 lowing: “, which shall include—

24 “(I) the number of full- and part-
25 time students, respectively, receiving

1 child care services under this section
2 at least once per week during the aca-
3 demic year;

4 “(II) the number of credits accu-
5 mulated by students receiving such
6 child care services;

7 “(III) the number of students re-
8 ceiving child care services under this
9 section at least once per week during
10 the academic year who—

11 “(aa) remain enrolled at the
12 institution during the academic
13 year for which they received such
14 services;

15 “(bb) enroll at the institu-
16 tion for the following academic
17 year; and

18 “(cc) graduate or transfer
19 within—

20 “(AA) 150 percent of
21 the normal time for comple-
22 tion of a student’s four-year
23 degree granting program; or

24 “(BB) 200 percent of
25 the normal time for comple-

1 “(iv) whether the institution restricts
2 eligibility for child care services to only
3 full-time students;

4 “(v) the sufficiently ambitious levels
5 of performance established for such year
6 by the institution that demonstrate mean-
7 ingful progress and allow for meaningful
8 evaluation of program quality based on the
9 information in clauses (i)(III) and (iii);”;

10 (B) by redesignating paragraph (2) as
11 paragraph (3);

12 (C) by inserting after paragraph (1) the
13 following:

14 “(2) REPORT.—

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

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

20 “(ii) each abstract submitted under
21 subsection (c)(1)(M) by an institution of
22 higher education that receives a grant
23 under this section.

1 “(B) PUBLIC AVAILABILITY.—The Sec-
2 retary shall make each report submitted under
3 subparagraph (A) publicly available.”;

4 (D) in paragraph (3), as so redesignated,
5 by inserting “(other than the information pro-
6 vided under subparagraph (B)(v) of such para-
7 graph)” after “paragraph (1)”; and

8 (E) by adding at the end the following:

9 “(4) TECHNICAL ASSISTANCE.—The Secretary
10 shall provide technical assistance to institutions of
11 higher education receiving grants under this section
12 to help such institutions meet the reporting require-
13 ments under this subsection.”;

14 (5) by redesignating subsection (g) as sub-
15 section (h);

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

18 “(g) NONDISCRIMINATION.—No person in the United
19 States shall, on the basis of actual or perceived race, color,
20 religion, national origin, sex (including sexual orientation,
21 gender identity, pregnancy, childbirth, a medical condition
22 related to pregnancy or childbirth, and sex stereotype), or
23 disability, be excluded from participation in, be denied the
24 benefits of, or be subjected to discrimination by any pro-
25 gram funded, in whole or in part, with funds made avail-

1 able under this section or with amounts appropriated for
2 grants, contracts, or certificates administered with such
3 funds.”; and

4 (7) in subsection (h), as so redesignated, by
5 striking “such sums as may be necessary for fiscal
6 year 2009” and inserting “\$200,000,000 for fiscal
7 year 2021”.

8 **SEC. 6. STUDY OF IMPACT OF TAX CREDIT FOR EMPLOYER-**
9 **PROVIDED CHILD CARE.**

10 (a) STUDY.—Not later than 18 months after the date
11 of the enactment of this Act, the Comptroller General of
12 the United States, in consultation with the Secretary of
13 the Treasury and the Secretary of Labor, shall—

14 (1) complete a study that examines the tax
15 credit for employer-provided child care authorized
16 under section 45F of the Internal Revenue Code of
17 1986 by considering such metrics as—

18 (A) the characteristics of employers that
19 take the credit, including the size of such em-
20 ployer, whether such employer is in a rural or
21 urban location, and whether such employer also
22 offers a dependent care assistance program de-
23 scribed in section 129 of such code;

24 (B) the characteristics of employers that
25 do not take the credit;

1 (C) the extent to which employees benefit
2 when employers provide child care and take the
3 credit;

4 (D) any challenges identified by employers
5 that do not take the credit; and

6 (E) any explanations from employers as to
7 why they do or do not take the credit; and

8 (2) prepare and submit a report to the Com-
9 mittee on Finance of the Senate and the Committee
10 on Ways and Means of the House of Representatives
11 setting forth the conclusions of the study conducted
12 under paragraph (1) in such a manner that the rec-
13 ommendations included in the report can inform fu-
14 ture legislative action. Such report shall also be
15 made publicly available via the website of the Gov-
16 ernment Accountability Office.

17 (b) PROHIBITION.—In carrying out the requirements
18 of this section, the Comptroller General of the United
19 States may request qualitative and quantitative informa-
20 tion from employers claiming the credit under section 45F
21 of the Internal Revenue Code of 1986, but nothing in this
22 section shall be construed as mandating additional report-
23 ing requirements for such employers beyond what is al-
24 ready required by law.

1 **SEC. 7. EVALUATION OF APPLICATIONS FOR ASSISTANCE**
2 **UNDER CHOICE NEIGHBORHOODS INITIA-**
3 **TIVE.**

4 In providing assistance for fiscal year 2020 and any
5 fiscal year thereafter under the Choice Neighborhoods Ini-
6 tiative of the Secretary of Housing and Urban Develop-
7 ment (pursuant to section 24 of the United States Hous-
8 ing Act of 1937 (42 U.S.C. 1437v)), the Secretary shall
9 consider early care and learning facilities for children as
10 a neighborhood asset for purposes of evaluating applica-
11 tions for planning and implementation grants, shall ensure
12 that any metric for evaluating such applications gives
13 credit for the provision of early care and learning facilities
14 under a neighborhood plan, and shall include early care
15 and learning facilities as such an asset in any Notice of
16 Funding Availability for any such fiscal year.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Yee, Peskin, Safai, Fewer

Subject:

Resolution - Urging Congress to Incorporate HR 7201 into Infrastructure Bills

The text is listed:

[]

Signature of Sponsoring Supervisor:

Norman Yee

For Clerk's Use Only