

Date of Hearing: April 9, 2019

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Eloise Gómez Reyes, Chair

AB 1001 (Ting) – As Introduced February 21, 2019

SUBJECT: Childcare: local planning councils

SUMMARY: Revises the mandated composition of, and requirements for, local child care and development planning councils, and states Legislative intent to appropriate at least \$10 million annually for local planning councils. Specifically, **this bill:**

- 1) States Legislative intent that the total annual appropriation for local planning councils be at least \$10 million, beginning with the 2019-20 fiscal year.
- 2) Adds to Legislative intent language regarding local child care and development planning councils the intent that such councils seek to create a local system of support for child care.
- 3) Deletes language requiring the local planning council to have consumers, child care providers, public agency representatives, community representatives, and agency appointees each represent 20% of membership, as specified, and instead, requires the local planning council to include the following members:
 - a) One representative from each resource and referral agency in the county;
 - b) One representative from each alternative payment program contractor in the county;
 - c) One representative from the local First 5 county commission;
 - d) One representative from the Quality Rating Improvement System (QRIS) local consortium, as specified;
 - e) One representative from the county office of education;
 - f) One representative from a school district within the county;
 - g) One representative from the board of supervisors;
 - h) One representative from the county health department;
 - i) One representative from a regional center within the county;
 - j) One representative who is a consumer;
 - k) Two representatives who are child care providers; and,
 - l) One representative who is a community representative.
- 4) Revises current requirements placed on local planning councils related to their identification of local priorities by making the following requirements contingent upon the California

Department of Education (CDE) adopting a statewide database to collect information about families seeking, qualifying for, and enrolling in child care, as specified:

- a) Conducting an assessment of a county's child care needs every five years;
 - b) Documenting certain information gathered during the needs assessment;
 - c) Preparing a comprehensive countywide child care plan;
 - d) Conducting a periodic review of CDE- and California Department of Social Services- (CDSS-) funded child care programs to determine if identified priorities are being met;
 - e) Designing a system to consolidate local childcare waiting lists, if a centralized eligibility list doesn't exist;
 - f) Submitting the results of the needs assessment and local priorities to the board of supervisors and to the county superintendent for approval prior to submitting them to CDE; and,
 - g) Identifying one to two members to serve as part of CDE's team that reviews and scores proposals for the provision of services through contracts with CDE.
- 5) Requires, contingent upon appropriation in the annual Budget Act for these purposes, a local planning council to, as specified:
- a) Convene, at least twice per year, a forum for stakeholders to provide input to and receive updates from the QRIS local consortium;
 - b) Work with resource and referral agencies, alternative payment program contractors, regional centers, and the QRIS local consortia to identify entities or single locations in the county that provide comprehensive information to families about child care and health-related services;
 - c) Work with the QRIS local consortia and the school districts in a county to both: create opportunities for transition planning from child care to transitional kindergarten and kindergarten, to include convening two forums for providers and educators each year; and, coordinate enrollment from child care to transitional kindergarten and kindergarten.
 - d) Work with the county office of education, special education local plan areas, and the school districts and regional centers to facilitate the transition of children with exceptional needs into the K-12 system; and,
 - e) Work with the county office of education, school districts, and child care providers to regularly identify facilities that could house a child care program, and share a list of these facilities with the county superintendent and the county board of supervisors.
- 6) Makes technical changes.

EXISTING LAW:

- 1) Establishes the “Child Care and Development Services Act” to provide child care and development services as part of a coordinated, comprehensive, and cost-effective system serving children from birth to 13 years old and their parents including a full range of supervision, health, and support services through full- and part-time programs. (Education Code [EDC] Section 8200 *et seq.*)
- 2) Defines “child care and development services” to mean services designed to meet a wide variety of children’s and families’ needs while parents and guardians are working, in training, seeking employment, incapacitated, or in need of respite and states that these services may include direct care supervision, instructional activities, resource and referral programs, and alternative payment arrangements. (EDC 8208 (j))
- 3) States the intent of the Legislature that all families have access to child care and development services, through resource and referral where appropriate, and regardless of demographic background or special needs, and that families are provided the opportunity to attain financial stability through employment, while maximizing growth and development of their children, and enhancing their parenting skills through participation in child care and development programs. (EDC 8202)
- 4) Requires the Superintendent of Public Instruction to administer general child care and development programs to include, among other things as specified, age- and developmentally-appropriate activities, supervision, parenting education and involvement, and nutrition. Further allows such programs to be designed to meet child-related needs identified by parents or guardians, as specified. (EDC 8240 and 8241)
- 5) Requires families to meet certain criteria in order to be eligible for federal and state subsidized child development services, including that a family must be either a current aid recipient, income eligible, homeless, or one whose children are recipients of protective services or have been identified as being, or at risk of being, abused, or neglected, as specified. (EDC 8263)
- 6) Requires the Superintendent of Public Instruction to implement a plan that establishes reasonable standards and assigned reimbursement rates for child care and development services, to vary by length of program year and hours of service, and establishes amounts for, and provides for an annual cost-of-living adjustment to, the standard reimbursement rate for contracted providers. (EDC 8265)
- 7) Provides for the establishment of regional market rate ceilings for voucher-based child care and states Legislative intent that child care providers be reimbursed at the 85th percentile of the most recent regional market rate survey. (EDC 8222, 8357)
- 8) States Legislative intent that local child care and development planning councils (also known as local planning councils) provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities. (EDC 8499.3 (a))
- 9) Requires the county board of supervisors and county superintendent of schools to select the members of the local planning council and establish the term of appointments for those

members, and requires the local planning council to have consumers, child care providers, public agency representatives, community representatives, and agency appointees each represent 20% of membership, as specified. (EDC 8499.3 (b) and (c))

- 10) Requires every effort to be made to ensure that the ethnic, racial, and geographic composition of the local planning council is reflective of the ethnic, racial, and geographic distribution of the population of the county. (EDC 8499.3 (d))
- 11) Permits the board of supervisors and county superintendent of schools to designate an existing child care planning council or coordinated child and family services council as the local planning council, provided representation requirements are met, as specified. (EDC 8499.3 (e))
- 12) Requires each local planning council to develop and implement a training plan to provide increased efficiency, productivity, and facilitation of local planning council meetings, as specified. (EDC 8499.3 (g))
- 13) Requires, regarding local planning councils, CDE to allocate child care funding pursuant to the Child Care and Development Services Act based on the amount of state and federal funding that is available. (EDC 8499.5 (a))
- 14) Requires a local planning council to, upon approval by the county board of supervisors and the county superintendent of schools, submit the local priorities it has identified that reflect all child care needs in the county to CDE by May 30 of each year. (EDC 8499.5 (b))
- 15) Requires a local planning council to, in order to meet its obligation of annually submitting local priorities to CDE, carry out a number of activities including, among others: conducting an assessment of child care needs in the county at least once every five years; encouraging public input in the development of the priorities, including through at least one public hearing; and, preparing a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs, as specified. (EDC 8499.5 (b))
- 16) Requires CDE, with specified exceptions, to allocate funding within each county in accordance with the priorities identified by the local planning council of that county and submitted to the department, unless the priorities do not meet the requirements of state or federal law. (EDC 8499.5 (e))

FISCAL EFFECT: Unknown

COMMENTS:

Subsidized child care and development: Paying for child care can place significant financial stress on many families, particularly those with lower incomes. The average cost in California of child care in a family child care home for an infant in 2014 was \$8,462 (\$705 per month). The average annual cost for an infant in child care centers in 2014 was \$13,327 (\$1,111 per month). The state's subsidized child care system offers services to families with parents or guardians who are working, in training, seeking employment, experiencing homelessness, incapacitated, or in need of respite. Generally, families are eligible for subsidized child care if they meet income-related and other requirements, such as having a need related to work, training, or education, and having children who are under 13 years old (or under 22 years old if they have exceptional

needs). Parents are currently income-eligible if they earn incomes less than 70% of the most recent state median income (SMI) when first applying – up to \$54,027 per year for a family of 3, and less than 85% of the most recent SMI – up to \$65,604 per year for a family of 3 – when renewing eligibility. Beginning on July 1 of this year, as a result of the adoption of AB 2626 (Mullin), Chapter 945, Statutes of 2018, all families – whether applying for or renewing their eligibility for subsidized child care – can have incomes less than 85% of the SMI to qualify.

Subsidized child care can be obtained through three main types of providers, depending on which program is being used. These types of providers include licensed child care centers, licensed family child care homes, and license-exempt providers (for example, family members, neighbors, or friends).

The three main subsidized child care programs are:

- California Work Opportunity and Responsibility to Kids (CalWORKs) child care, for parents who receive or have received CalWORKs. CalWORKs child care can be provided in either centers, family child care homes, or license-exempt settings and is paid for using vouchers;
- Alternative Payment Programs (APPs), which offers families vouchers that allow them to choose their own child care in either centers, family child care homes, or license-exempt settings; and,
- General Child Care, which is provided through contracted centers and family child care home networks that are administered through private or public agencies and offer child care, education, and development services.

For eligible three- and four-year-olds, the state also offers California state preschool programs (CSPPs), which provide services that include developmentally appropriate curriculum, parent education, meals and snacks, and referral to social and health services for families. CSPPs operate on either a part-day or full-day basis and can be offered in a number of different settings, including child care centers, family child care network homes, school districts, or county offices of education. Teachers in CSPPs must have a Child Development Teacher Permit, including 24 units in early childhood education and/or child development and 16 general education units.

Access to subsidized child care: In Fiscal Year (FY) 2018-19, there are approximately 210,000 subsidized child care slots offered across the various programs, including:

- 137,000 CalWORKs slots;
- 45,000 Alternative Payment slots; and,
- 28,000 General Child Care slots.

Additionally, for FY 2018-19, there are approximately:

- 170,000 CSPP (103,000 part-day and 67,000 full-day) slots; and,
- 90,000 Transitional Kindergarten slots.

The state's current capacity to provide adequate affordable child care services is far below what is required to meet families' needs across California. A January 2019 analysis by the California Budget and Policy Center found that, in 2017, only 1 in 9 children who were eligible for subsidized child care and development programs in California were actually enrolled in a program capable of meeting their family's needs for more than a couple hours per day and throughout the entirety of the year. Analyzing federal survey data, the California Budget and Policy Center determined that approximately 2 million California children from birth through 12 years of age were eligible for subsidized child care in 2017, yet only 228,100 were able to participate in full-day, year-round programs. The California Budget and Policy Center concluded that, along with wage stagnation and its impacts on families' incomes, "This mismatch between eligibility for care and available spaces largely reflects inadequate state and federal funding."

Local planning councils: Each county in California has a local child care and development planning council. These local planning councils, per Legislative intent, are designed to provide a forum for the identification of local priorities for child care, and the development of policies to meet the needs identified within those priorities. State law (EDC 8499.3) requires the county board of supervisors and county superintendent of schools to select the members of the local planning council and to establish the term of appointments for those members, and requires the local planning council to have consumers, child care providers, public agency representatives, community representatives, and agency appointees each represent 20% of the local planning council's membership. Local planning councils are charged with a number of responsibilities, including, among others: conducting an assessment of child care needs at least once every five years, preparing local comprehensive countywide child care plans that are designed to mobilize public and private resources to address identified needs, and encouraging local input into development of community-level priorities.

Local planning councils were first established in California in the early 1990s, with the adoption of AB 2141 (Speier), Chapter 1187, Statutes of 1991, which created local planning processes in response to the federal adoption, in 1991, of the Child Care and Development Block Grant (CCDBG) program. AB 2141, with its creation of local planning councils, sought to ensure the inclusion of local voices when determining priorities for allocation of CCDBG dollars.

Need for this bill: This bill seeks to update the composition and responsibilities of local child care and development planning councils in order to better identify and address the needs of the state's evolving early care and education programs.

According to the author, "The Speaker's Blue Ribbon Commission of Early Care and Education has identified improving local planning, data collection, and coordination is a critical step for the expansion of Early Childhood Education programs in California. AB 1001 refreshes the existing Local Planning Councils to make their membership reflect the broader world of ECE stakeholders and provides these entities with more direction and data to allow the State expansions to these programs to be better informed by local child care needs assessments."

Double referral: This bill will be referred to the Assembly Education Committee should it pass out of this committee.

PRIOR LEGISLATION:

AB 2141 (Speier), Chapter 1187, Statutes of 1991, established a local planning process, using local child care and development planning councils, for the allocation of child care funding received under the federal Child Care and Development Block Grant.

REGISTERED SUPPORT / OPPOSITION:

Support

California County Superintendents Educational Services Association
Kidango
UDW/AFSCME Local 3930

Opposition

None on file

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