

Date of Hearing: April 9, 2019

ASSEMBLY COMMITTEE ON HUMAN SERVICES  
Eloise Gómez Reyes, Chair  
AB 6 (Reyes) – As Amended April 2, 2019

**SUBJECT:** Early childhood education: Early Childhood Education Branch

**SUMMARY:** Creates the “Early Childhood Education Branch” within the California Department of Education, and tasks it with responsibilities related to the coordinated provision of high-quality early childhood education and related services. Specifically, **this bill:**

- 1) Establishes, by January 1, 2021, the “Early Childhood Education Branch,” to replace the current Early Learning and Care Division, within CDE in order to ensure a holistic implementation of early childhood education (ECE) programs and universal preschool.
- 2) Charges the Early Childhood Education Branch with all of the following responsibilities:
  - a) Coordinating services with the California Department of Social Services (CDSS) and the California Health and Human Services Agency to ensure that social and health services are provided to children in ECE programs;
  - b) Coordinating with local county offices of education to identify strategies and implement a standardized curriculum;
  - c) Providing leadership and support to contractors and the child development community to ensure that high-quality ECE programs are provided; and,
  - d) Supporting mixed delivery systems within ECE programs.
- 3) States Legislative intent to both adequately finance the Early Childhood Education Branch once established, and to support it in its efforts to promote alignment with elementary and secondary education staff and systems within CDE.

**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 and 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 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)
- 5) 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)
- 6) Authorizes, in order to provide for maximum parental choice, alternative payment programs to serve identifiable geographic areas and to include: a subsidy (voucher) that follows the family from one provider to another within a given alternative payment program; choices, whenever possible, among hours of service, as specified; and, child care and development services according to parental choice, including use of family day care homes, general center based programs, and other state-funded programs, as specified. (EDC 8220 *et seq.*)
- 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) 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)

**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 is offered in three stages, depending on a family’s circumstances and whether they are currently receiving CalWORKs aid; CDSS administers Stage 1, while CDE administers Stages 2 and 3. 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 are funded by CDE to offer 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 CDE-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.

#### ***Assembly Blue Ribbon Commission on Early Childhood Education***

The Assembly Blue Ribbon Commission on Early Childhood Education (BRC) was established with the intent to “plan an early learning system that works for/meets the needs of children, families, and providers.” The BRC, consisting of members appointed from the Assembly and the Community, began its work in early 2017, holding quarterly hearings and establishing subcommittees on workforce retention and development, expanded access to early learning programs, financing and the economic impact of ECE, and engaging and meeting the needs of families. Quarterly hearings and subcommittee meetings continued during 2018, and work was done to develop BRC recommendations. On March 11, 2019, draft recommendations were released. One such recommendation, under governance and administration, was to “Establish an augmented Division or Office for Early Childhood Education in CDE with sufficient resources and staff to implement recommendations.”

***Need for this bill:*** The ECE landscape in California is complex and multifaceted, involving a number of state and local agencies and entities. All child care programs must meet licensing requirements established in Title 22 of the California Code of Regulations and overseen by

CDSS, while subsidized child care centers must also meet requirements established in Title 5 of the California Code of Regulations and overseen by CDE. Stage 1 of CalWORKs child care is administered by CDSS, while all other subsidized child care programs (including Stages 2 and 3 of CalWORKs) are administered by CDE. Subsidized child care programs available to families range widely from vouchers used to access care from license-exempt family, friends, and neighbors, or from licensed family child care homes and child care centers, to contracted child care centers, to state preschool. There are also specialized programs for migrant child care and care for children with severe disabilities. And all of these ECE programs are situated within an even broader and more complicated context entailing the variety of health and social services that children and their families often rely on or could benefit from if properly connected. These include Medi-Cal (administered by DHCS), WIC (administered by CDPH), CalWORKs and CalFresh (administered by CDSS), and a number of others. This bill seeks to establish a state-level Early Childhood Education Branch to help coordinate, provide leadership for, and support the breadth of traditional ECE and ECE-related programs serving and available to children and their families.

According to the author, “[This bill] ensures that California’s children and families have high-quality early childhood education programs by elevating early childhood governance structures. By creating a Branch of Early Childhood Education, the multi-agency nature of our early education system can better coordinate to serve children and families.”

**Double referral:** This bill passed out of the Assembly Education Committee on March 27, 2019, with a 5-1 vote.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

American Academy of Pediatrics, California  
California Academy of Child and Adolescent Psychiatry  
California Alliance of Child and Family Services  
California Teachers Association

##### **Opposition**

California Right to Life Committee, Inc.

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