

Introduced by Senator LiuFebruary 7, 2013

An act to amend Sections 8202, 8214, 8220.5, and 8352 of the Education Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

SB 192, as introduced, Liu. Child care: early learning and school support resources.

The Child Care and Development Services Act (act), administered by the State Department of Education, provides that children from infancy to 13 years of age and their parents are eligible, with certain requirements, for child care and development services. The act declares the intent of the Legislature that all families have access to child care and development services through resource and referral programs, as specified.

This bill would additionally declare the intent of the Legislature that all children in California have access to high-quality early learning and education support programs so that they thrive in their early learning settings and succeed throughout kindergarten and grades 1 to 12, inclusive, as specified.

The act provides that child care resource and referral services shall be provided to all persons requesting services and to all types of child care providers, regardless of income level or other eligibility criteria. The act provides for child care alternative payment programs, the purpose of which is to provide for parental choice in child care, and requires those programs to provide support services to families, including information to parents to assist them in making informed choices. Existing law also requires that child care be provided in 3 stages to recipients of benefits under the California Work Opportunity

and Responsibility to Kids (CalWORKs) program. The first stage of child care begins upon the entry of a person into the CalWORKs program. The 2nd stage of child care begins when a county determines that the work or approved work activity of the recipient is stable or when a recipient is making the transition off of aid and child care. The 3rd stage of child care, which is administered by programs contracting with the department, begins when a funded child care space becomes available for the child or children of the eligible CalWORKs recipient.

This bill would require child care resource and referral programs to provide information about certain child care services available when a family is determined eligible for child care and development services or recertified as eligible for those services under the alternative payment program or stages 2 or 3 of the CalWORKs program. The bill would require child care resource and referral agencies to give priority to providing information about safe, caring, and age-appropriate early learning and school support environments for children as well as environments that support the parents' work activity. The bill would require the department to develop and certify a list of high-quality early learning and school support resources and to post the list on its Internet Web site. The bill would provide that in providing information about child care, child care resource and referral agencies may use resources from the department's certified list or local resources, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8202 of the Education Code is amended
- 2 to read:
- 3 8202. It is the intent of the Legislature that:
- 4 (a) *All children in California have access to high-quality early*
- 5 *learning and education support programs so that they thrive in*
- 6 *their early learning settings and succeed throughout kindergarten*
- 7 *and grades 1 to 12, inclusive. It is further the intent of the*
- 8 *Legislature that this be accomplished through the creation of a*
- 9 *comprehensive early learning and school support system for*
- 10 *children from birth through third grade that will promote both of*
- 11 *the following:*
- 12 (1) *Access to safe, high-quality programs.*

1 (2) *Comprehensive support for the development of the whole*
2 *child, including healthy physical, cognitive, social, and emotional*
3 *growth and development.*

4 (a)

5 (b) All families have access to child care and development
6 services, through resource and referral services, where appropriate,
7 regardless of ethnic status, cultural background, or special needs.
8 It is further the intent that subsidized child care and development
9 services be provided to persons meeting the eligibility criteria
10 established under this chapter to the extent funding is made
11 available by the Legislature and Congress.

12 ~~(b) The healthy physical, cognitive, social, and emotional growth~~
13 ~~and development of children be supported.~~

14 (c) Families achieve and maintain their personal, social,
15 economic, and emotional stability through an opportunity to attain
16 financial stability through employment, while maximizing growth
17 and development of their children, and enhancing their parenting
18 skills through participation in child care and development
19 programs.

20 (d) Community-level coordination in support of child care and
21 development services be encouraged.

22 (e) Families have a choice of programs that allow for maximum
23 involvement in planning, implementation, operation, and evaluation
24 of child care and development programs.

25 (f) Parents and families be fully informed of their rights and
26 responsibilities to evaluate the quality and safety of child care
27 programs, including, but not limited to, their right to inspect child
28 care licensing files.

29 (g) Planning for expansion of child care and development
30 programs be based on ongoing local needs assessments.

31 ~~(h) The Superintendent of Public Instruction, in providing~~
32 ~~funding to child care and development agencies, promote a range~~
33 ~~of services which that will allow parents the opportunity to choose~~
34 ~~the type of care most suited to their needs. The program scope may~~
35 ~~include the following:~~

36 (1) Programs located in centers, family day care homes, or in
37 the child's own home.

38 (2) Services provided part-day, full-day, and during nonstandard
39 hours including weekend care, night and shift care, before and
40 after school care, and care during holidays and vacation.

1 (3) Child care services provided for infants, preschool, and
2 schoolage children.

3 (i) ~~The Superintendent of Public Instruction~~ be responsible for
4 the establishment of a public hearing process or other public input
5 process that ensures the participation of those agencies directly
6 affected by a particular section or sections of this chapter.

7 SEC. 2. Section 8214 of the Education Code is amended to
8 read:

9 8214. (a) Child care resources and referral shall be provided
10 to all persons requesting services and to all types of child care
11 providers, regardless of income level or other eligibility criteria.
12 In addition to the services prescribed by this section, child care
13 resource and referral may provide a wide variety of parent and
14 provider support and educational services.

15 (b) *The information provided to parents pursuant to subdivision*
16 *(a) of Section 8220.5 shall be provided to all families determined*
17 *eligible for and receiving services through the alternative payment*
18 *programs established pursuant to Article 3 (commencing with*
19 *Section 8220) and to all parents eligible for and receiving services*
20 *through the CalWORKs stage 2 and stage 3 programs pursuant*
21 *to Article 15.5 (commencing with Section 8350). These services*
22 *shall be provided at the time the family is determined eligible for*
23 *child care services and at recertification of eligibility so that*
24 *parents may make informed choices about child care services*
25 *available. Priority shall be given to providing information about*
26 *child care services that offer a safe, caring, and age-appropriate*
27 *early learning and school support environment for children as*
28 *well as an environment that supports the parents' work activity.*
29 *When providing information to parents about high-quality early*
30 *learning and school support options, child care resource and*
31 *referral agencies may use resources from the certified list posted*
32 *on the department's Internet Web site required by subdivision (c)*
33 *or may develop local resources that shall include, but are not*
34 *limited to, the following:*

35 (1) *Licensing and trustline requirements for centers, family*
36 *homes, and homes exempt from licensure.*

37 (2) *Caretaker-child interactions.*

38 (3) *Caretaker experience with young children.*

39 (4) *Environments that support the healthy development of young*
40 *children.*

1 (5) *Daily or regular schedules, routines, and policies.*

2 (6) *Information on quality rating and improvement systems,*
3 *where available.*

4 (c) *The department shall develop and certify a list of high-quality*
5 *early learning and school support resources to provide parents*
6 *with information about high-quality options for child care. The*
7 *list of certified resources shall be posted and maintained on the*
8 *department's Internet Web site.*

9 (d) *The department shall make the resources described in*
10 *subdivision (c) available to both resource and referral programs*
11 *and alternative payment programs.*

12 SEC. 3. Section 8220.5 of the Education Code is amended to
13 read:

14 8220.5. To offer maximum support for parents and providers,
15 alternative payment programs shall have access to resource and
16 referral services. Funding shall be adequate to purchase care at the
17 fee charged the private client for the same service as well as to
18 provide locally designed support services for parents and providers.
19 ~~In communities where there are no resource and referral agencies,~~
20 ~~alternative~~ *Alternative* payment programs shall, *in collaboration*
21 *with the resource and referral agencies in the county, provide the*
22 *following support services:*

23 (a) ~~Information~~ (1) *At the time the family is determined eligible*
24 *for child care services and at recertification of eligibility, provide*
25 *information for parents to assist them in making informed choices*
26 *about the available types of care that offer a safe, caring, and*
27 *age-appropriate early learning and school support environment*
28 *for children as well as an environment that supports the parents'*
29 *work activities, including, but not limited to, information about*
30 *high-quality early learning and school support resources identified*
31 *pursuant to subdivision (b) of Section 8214.*

32 (2) *Where available, provide information on quality rating and*
33 *improvement systems.*

34 (b) *Professional and technical assistance and information for*
35 *providers.*

36 (c) *Parenting information.*

37 SEC. 4. Section 8352 of the Education Code is amended to
38 read:

39 8352. (a) *As soon as appropriate, a county welfare department*
40 *shall refer families needing child care services to the local child*

1 care resource and referral program funded pursuant to Article 2
 2 (commencing with Section 8210). Resource and referral program
 3 staff shall colocate with a county welfare department’s case
 4 management offices for aid under Chapter 2 (commencing with
 5 Section 11200) of Part 3 of Division 9 of the Welfare and
 6 Institutions Code, or any successor program, or arrange other
 7 means of swift communication with parents and case managers of
 8 this aid. The local child care resource and referral program shall
 9 assist families to establish stable child care arrangements as soon
 10 as possible. These child care arrangements may include licensed
 11 and license-exempt care.

12 *(b) In providing the support services required by Section 8220.5,*
 13 *the resource and referral agencies in the county shall provide*
 14 *information regarding high-quality early learning and school*
 15 *support resources identified pursuant to subdivision (b) of Section*
 16 *8214. Where available, that information shall include information*
 17 *on quality rating and improvement systems.*

18 ~~(b)~~

19 (c) A program operating pursuant to this article shall, within
 20 two business days of being notified of a revocation or a temporary
 21 suspension order for a licensed child day care facility, do both of
 22 the following:

- 23 (1) Terminate payment to the facility.
- 24 (2) Notify each parent and the facility in writing that payment
 25 has been terminated and the reason for the termination.

26 ~~(e)~~

27 (d) A program operating pursuant to this article shall, upon
 28 being notified that a licensed child care facility has been placed
 29 on probation, provide written notice to each parent utilizing the
 30 facility that the facility has been placed on probation and that the
 31 parent has the option of selecting a different child day care provider
 32 or remaining with the facility without risk of subsidy payments to
 33 the provider being terminated. The Legislature urges each agency
 34 operating pursuant to this section to provide the written notice
 35 required by this subdivision in the primary language of the parent,
 36 to the extent feasible.