



Legislative Update

September 13, 2007

Network Supports:

ACR34 (Nakanishi) Resolution on Shaken Baby Syndrome Awareness Week

Designates April 15 – April 21, 2007 as “Shaken Baby Syndrome Awareness Week” **Status: Chapter 24, Statutes of 2007**

AB304 (Huff)- Community Care Facilities: Disaster Plans

Requires that a community care licensing facility provide a copy of their disaster and casualty plan to the local fire department, law enforcement agency, civil defense and other disaster authorities upon request. (According to the CDSS-policy unit, this bill does not apply to child care centers or family child care homes) **Status: Chapter 18, Statutes of 2007**

AB537 (Swanson) – Family Medical Leave

Increases the circumstances under which an employee is entitled to leave under the Family Rights Act by eliminating the age and dependency elements from the “child” definition, by expanding the “parent” definition and permitting leave time to care for a seriously ill grandparent, sibling, grandchild or domestic partner. **Sponsor Labor Project for Working Families-Status: Governor’s Desk**

AB1080 (Mullin)- Preschool Clean-up

Clarifies that funding for Program Literacy Coordinator is per class not per classroom and can be in either an LEA-based or participating program and clarifies that a funded program in a API deciles 1 –3 school district can remain in that school district even if the school district improves their deciles standing. Clarifies the legislative intent to offer full-day services. States that new grants can only be awarded from unallocated funds in the original grant or from expansion funds. **Sponsored by CCDAA Status: Governor’s Desk**

AB1571 (DeSaulnier)- Alternative Payment Reimbursement- Contingency Fund

Authorizes APP’s to apply for funding up to 3% of their contract amount (or greater if funds are available) to cover reimbursable expenditures beyond their maximum reimbursable contract amount (MRA). Requires specified time frames for application and distribution of these funds and deletes the prohibition of applying for contingency funds for consecutive years. Intended to encourage the full expenditure of available APP funds. **Amended to require the CDE to distribute funding proportionately according to the approved amount. Sponsored by the California Alternative Payment Program Association- Status: Governor’s Desk**

AB1685 (Garrick)- Before and After School Programs- Urgency Clause

Increases reimbursement rates as a priority for existing before school programs. **Amended to clarify that staff that work directly with the children are responsible for reporting outcome measures. Sponsor: Governor Schwarzenegger Status: Chapter 22, Statutes 2007**

SB727 (Kuehl) – Unemployment and Disability

Expands those family members eligible for paid family leave to include siblings, grandparents, grandchildren and in-laws. Effective on or before July 1, 2008. **Sponsor Labor Project for Working Families –Status: Governor’s Desk**

Budget Trailer Bills:

AB194: Budget Committee

Restores \$5 million in funding to the state preschool budget item and assigns priority of these funds for wrap-around to children in PKFL.

SB80: Education budget trailer

Encourages child care facilities to meet the same increased nutritional requirements for meals as schools in order to receive funding for meal subsidies. Contains other provisions. **Status:**

Chapter 174, Statutes 2007

SB84: Human Services budget trailer

Requires the Department of Education to conduct a study to establish best statewide practices for the prevention, detection, identification, and investigation of improper payments in all subsidized child care programs. Suspends the trigger for increasing visits to community care facilities based on an increase in the number of total citations. Requires DSS to develop appropriate indicators with stakeholders to trigger an increase in licensing visits by February 1, 2008. Contains other provisions. **Status: Chapter 177, Statutes 2007**

Network Monitor:

AB905 (Arambula)- Child Care Subsidy Eligibility: Seek Work

Allows the SPI to extend eligibility for subsidized child care by an additional 60 days in defined geographic areas where high unemployment or high numbers of seasonal agricultural jobs exist.

Status: Chapter 110, Statutes of 2007

AB1164 (DeLeon)- Collective Bargaining for Family Child Care- sponsored by AFSCME & SEIU

Allows for the collective bargaining rights for family child care and license-exempt child care providers and authorizes providers to choose a representative organization to negotiate with state regulatory and funding agencies as well as programs administering child care subsidy programs. Negotiations are limited to issues within the entity’s jurisdiction. **Amended to require a fair share payment by providers who choose not to be represented and permit state agencies to collect dues and fair share payments. It would allow the designated provider representative to negotiate with the Department of Social Services regarding a reimbursement system for providers. Status: Governor’s Desk**

***SB20 (Torlakson) – Increased Food Program Reimbursement-Urgency Clause**

Food Program provisions deleted- now a bill for Charter Schools Status: Assembly Floor

SB473 (Cox)- State Agencies Fingerprinting vendors-

Would restrict state agencies ability to direct Trustline applicants (among other non-law enforcement professions) to specific Live Scan vendors thus eliminating the benefit of the Trustline Automated Registration Process and increasing the time for potential trustline clearances. **Status: Governor’s Desk**

SB836 (Kuehl) – Fair Employment: Familial Status

Add familial status to the list of prohibited bases for employment discrimination in the Fair Employment and Housing Act. The law will protect against discriminatory employment decisions driven by the assumption that workers with family responsibilities are less committed to their jobs or less reliable. **Sponsor Labor Project for Working Families- Status: Governor’s Desk**

Two-Year Bills: (Bill authors have the option to continue with these bills or not)

AB21 (Jones)- State Earned Income Tax Credit

Beginning on or after January 1, 2008, allows for a state tax credit of 15% of the Federal Earned Income Tax Credit (subtracting out the alternative minimum tax). **Supported by the Network**

AB170 (Saldana)- State Preschool Programs: Military Family housing exclusion

For the purposes of determining eligibility for state preschool programs only, this bill would exclude income for basic housing allowances received by those serving active duty in the military.

AB313 (Benoit)- Child Care Rating System

Requires the Department of Social Services to establish a child care facility rating system, for the department to put it on their website and for each facility to post the rating at their facility. The department (DSS) would assign ratings based on the presence and severity of licensing compliance issues for facilities with recorded inspections on or since January 1, 2005.

AB344 (Huff)- Language School Directors- Trustline Requirement

Requires language school directors to register with Trustline.

AB571 (Jones)- Preschool Expansion and Teacher Competencies

Requires access to state preschool programs for all low-income 3 & 4 year-old children by FY2011-2012 (with anticipated surplus Proposition 98 funds per the LAO’s Proposition 98 Roadmap recommendations) and to create professional development programs for prekindergarten teachers and the development of teaching competencies. **Sponsored by Preschool California, Children NOW (lead) & Fight Crime Invest in Kids.**

AB683 (Runner)- Kindergarten Entry Age

Moves back the age of kindergarten entry to five years old phased in over three years from the current date of December 2 up to September 1 by 2011-2012. Amended to require compensation to school districts for any loss of ADA for this change.

AB975 (Solorio) -License-Exempt Training/Resource & Referral – 2/3 Vote required

Provides \$2.9 million for continued training of license-exempt child care providers through resource & referral programs. **Sponsored by the Network**

AB978 (Benoit) – Community Care Facilities- Urgency clause

Requires civil penalties for certain specified Type A violations that would be placed in a fund for technical assistance and outlines specific required action and timelines following substantiated complaints, TSO’s, exclusions and revocations. **Amended to exempt the 2007-2008 year from the trigger to increase visit requirements consistent with the budget, but to reinstate it the following year. Determines that the amount of the civil penalty for serious violations is exactly \$150 per day per violation.**

AB1028 (Caballero)- Auditing of Child Development Contracts

Relates to the reimbursement and auditing of child care and development providers specifically contracted center-based programs. Prohibits the Department of Education from applying charitable donations in calculations of the state funding available to child care contractors. Addresses issues of required annual single independent financial and compliance audits for child development programs. **Sponsored by CCDAA - Supported by the Network**

AB1052 (Torrico)- Limited English Proficient Training

Requires the establishment of a three-year pilot program in three counties (Northern, Central & Southern California) to provide training and a career-ladder for preschool teachers of limited English proficient children. . Provides grants of \$450,000 per year to each pilot program.

AB1059 (DeLeon)-Preschool Staff Retention

Expands the availability to the Teacher and Supervisor Grant program beyond the current two-year academic restriction dependent on the availability of federal funds. **Sponsored by Preschool California (lead), Children NOW & Fight Crime Invest in Kids.**

AB1236 (Mullin)- Kindergarten Entrance Age: School Readiness

Delays the kindergarten entry age to 5 years-old by September 1 effective July 2008 and makes kindergarten attendance compulsory. Establishes a voluntary school readiness program for the year prior to kindergarten entry. Requires that the readiness program be taught by an individual credentialed to teach kindergarten (allows other options with a professional development plan to a credential) and an associate teacher with specified degree. Class size limit of 20 students. Planned funding from ADA (portion), Intent language to use state preschool dollars, and delayed kindergarten entry funds. **Sponsored by CTA.**

AB1279 (Coto)- Reserve fund for Child Development Contractors

Increases the allowable reserve fund for child development contractors (specifically AP & contracted centers) from the current 2% of the administration/support budget (with a \$1,000 cap) to a cap of 5% their admin & supportive services funds. **Sponsored by the California Alternative Payment Program Association**

AB1344 (Mendoza)- State Preschool Programs

Requires that any unspent state preschool program funds be redirected into the preschool and family literacy program until all eligible children are served. Appropriates \$50 million in 2008-09 and \$45 million in 2009-10. Priority for these funds is in the deciles 1 – 3 API schools.

AB1400 (Hayashi)- Inclusive Child Care

This bill was amended to include the language formerly in SB680 (Ridley-Thomas) with the exception that it designated \$3.6 million allocation from the State General Fund. (see SB680 below)

AB1558 (Soto)- Community Care Facilities Information

Requires the DSS to establish an electronic automated license information system by July 1, 2008 and include facility profiles with data on services provided, history of inspections, complaints, department actions and fines for the last three years. The information must be updated at least quarterly. **(It is our understanding that child care facilities will be removed from this bill)**

SB197 (Ducheny)- Foster care: child care subsidy eligibility

Requires continued child care subsidy receipt for foster children whose foster placement changes if child care need exists with the new foster placement. The requirement only exists, however, if the child remains with the same child care provider or moves to a new child care provider in the same service area as the administering Alternative Payment Program.

SB468 (Padilla)- Shaken Baby Syndrome

Clarifies the legislative findings regarding the effectiveness of shaken baby syndrome instructional materials and eliminates the requirement that the DSS provide instructional materials free of charge to newly licensed child care providers and at the time of site visits. Informational material will continue to be provided. Established by July 1, 2009 education pilots in up to 10 counties and to prepare and submit by July 1, 2012 to the Legislature an evaluation report on program effectiveness. Funded exclusively from the State Children's Trust Fund. **Amended to limit pilot to three years and other technical amendments. Supported by the Network**

SB635 (Margett)- Fraud in Stages 2 & 3 child care

Declares the intent to enact legislation to establish best practices for the prevention, detection, identification and investigation of fraud committed by recipients in CalWORKs child care Stages 2 and 3. **Status: (may be resolved through the budget)**

SB680 (Ridley-Thomas) – Inclusive Child Care Services 2/3 vote required

Facilitates the placement of children with disabilities and other special needs in child care settings through assistance from child care resource & referral programs and selected Local Planning Councils (Orange, Yuba, Sutter). Services include enhanced child care referrals, provider training, provider and parent outreach, technical assistance and support services.

Co-sponsored by the Network and Child Care Alliance of Los Angeles

SB688 (Cox)- First 5 Communications

Prohibits the First 5 California commission from spending funds to advocate or promote any program or activity not expressly authorized by the Legislature or an initiative.

SB693 (Ashburn)-Child Care Subsidy Payments- Trustline

Requires that in TARP/LiveScan operational counties payment for child care subsidy shall not begin until DSS confirms that the provider is a registered Trustline provider or is exempted from Trustline registration. Currently, this bill applies to general AP programs and CalWorks Stage 1. It is our current understanding that it is the author's intent to amend the bill to apply only to CDE funded programs.

***SB694 (Ashburn)-Child Care Subsidy Payments**

Provisions related to child care subsidies deleted- now a child support bill

SB893 (Cox)-First 5 Funding

Eliminates the categories of funding for California First 5 Commission and redirects the funds to health care services for children. **Status: Failed Passage in Senate Health**

SB944 (Padilla)-State Preschool Program Data

Requires the Child Development Division to compile, aggregate and analyze data on all age children in subsidized child development programs subject to available funding and to report the findings to the Legislature in January 2010. Requires specific additional data on preschool children (3-5 years old). **Sponsored by Preschool California , Children NOW & Fight Crime Invest in Kids (lead).**