

Child Care Legislative Summary, 2009

Bill link & author	Description of Bill Highlighted text is new or changed since last Friday morning.	Status, Recent History	Positions (See last page for abbrevs.)
California Assembly Bills			Date is either when the position was published or when I verified it.
ABX3-9 Evans	<p>Subject to voter approval at the next statewide election, would</p> <ul style="list-style-type: none"> • Eliminate the First 5 Mass Media Communications Account • Move \$268,000,000 a year from First 5 into a new Prop 10 Health and Human Services Fund, to be spent on state health and human services programs • State that First 5 money shall be used to provide <ul style="list-style-type: none"> ○ direct health care services, human services, including services for at-risk families who are involved with the child welfare system administered by the county welfare department, and ○ direct early education services, including preschool and child care. <p>Identical to SBX3-9.</p>	<p>1-12 Passed Assembly as spot bill 48-0</p> <p>2-14 Gutted and amended to add First 5 content, and Passed policy committee and Senate</p> <p>To assembly for concurrence in amendments</p> <p>3-16 to inactive file on request of Member Evans</p>	
AB 12 Beall	<ul style="list-style-type: none"> • AFDC Foster care: Abolishes <u>Revises</u> the current “Kinship Guardianship Assistance Payment Program (Kin-GAP) (which, as a part of the CalWORKs program, provides aid on behalf of eligible children who are placed in the home of a relative caretaker) to provide state-funded assistance for youth not eligible under the federally funded program and requires the state to institute a different federal kinship guardianship assistance program. Follow the link for details of the new program. • Extends age to 21 • “No appropriation from the General Fund would be made for the purposes of implementing these provisions.” • 3-23 amendment adds “including nonminor dependents” (defined as a (1) current or former dependent child or ward of the juvenile court (2) between 18 and 21 (3) in foster care under the responsibility of the county welfare department, county probation department, or Indian tribe that entered into an agreement pursuant to Section 10553.1 and is in a transitional independent living case plan) to a number of foster care provisions, including <ul style="list-style-type: none"> ○ Placing kids of varying needs and designations in the same home ○ Foster care homes have to meet the same regs as for younger kids • By 7-1-11, a list of stakeholders shall “revise regulations regarding health and safety standards for licensing foster family homes and community care facilities in which nonminor dependents... are placed”; the regs <ul style="list-style-type: none"> ○ “shall have the greatest amount of freedom that will safely prepare them for self-sufficiency” ○ “Nonminors who remain in the same community care facility with children under 18 years of age need not be subject to criminal background clearances” ○ By 7-1-10, DSS shall (in consultation with the stakeholders) issue ACLs to be in effect between 10-1-10 to 6-30-11. DSS can issue emergency regs. • The California Community Care Facilities Act does not apply to “any supervised independent living setting for nonminor dependents” who are placed by the juvenile court, supervised by the county welfare department, probation department, or Indian tribe • “Nonminor dependents” remain under the jurisdiction of the juvenile courts • Does not give custody to the county welfare department; the kid retains all his or her legal decision-making authority as an adult. • Sets procedures to apply for nonminor dependent status 	<p>Human Services committee</p> <p>3-23 09 amended</p> <p>4-13 amended</p> <p>4-15 passed committee</p> <p>5-0</p> <p>To Appropriations</p> <p>4-29 amended</p> <p>5-20 Appropriations suspense file</p> <p>Hearing date 5-28</p> <p>5-28 hearing postponed by committee</p> <p>1-21-10 Amended and passed by Appropriations 13-4</p> <p>Passed by Assembly 72-0</p> <p>To Senate Rules for assignment</p>	<ul style="list-style-type: none"> •

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	<ul style="list-style-type: none"> • Status must be reviewed at least every 6 months • States requirements for reviews and reports • Before terminating a kid from dependency care, a report has to include info about the kid's Indian heritage or tribal connections, family history as known, photos in the possession of the county welfare department (except forensic photos), whereabouts of any siblings under juvenile court jurisdiction (unless the court finds a danger there), social security care, driver's license, birth certificate, health and education summary, parents' death certificate if appropriate, a letter describing the kid's foster care history, proof of citizenship, help applying for Medi-Cal or college, or maintaining relationships with important people in their lives. <p>4-13 amendment:</p> <ul style="list-style-type: none"> • Expands jurisdiction of juvenile court to adjudge a child placed voluntarily in an approved home of a relative for not more than 180 days a dependent of the court • Changes limits on child welfare services for voluntarily placed children from 6 months to 180 days. • Changes rather than abolishes the Kin-GAP program, as highlighted above. • Makes many small changes that people involved in this program should follow the link to read. <p>4-29 amendment:</p> <ul style="list-style-type: none"> • Currently the county welfare department's annual eligibility review must coincide with one of three other annual determinations; this adds a fourth possibility • Adds labor organizations to stakeholder's groups • Specifies that for non-minors not to have to be background checked when they are in a facility with kids under 18, it must be the same community care facility with that they were placed in while under 18 years of age. • Beginning 10-1-10, nonminors foster kids in this program can keep getting benefits as long as they are in high school or a technical school <p>1-25-10 amendment puts off effective dates for several sections</p>		
AB 89	Creates new tobacco tax of 10.5¢ a cigarette	Dead	
AB 137	Brown Act changes	Dead	
AB 304	APPs electronic banking for payments to family providers	Dead	
AB 315 De Leon	<p>Was spot bill. 4-14 amendment says <u>CDE shall consider developing</u> adopt regulations for APPs regarding:</p> <ul style="list-style-type: none"> • Timeliness of payments to child care providers. • Due process and complaint process. • Filling out time sheets <u>attendance records</u> • Manner of issuing payments to child care providers, and whether an alternative payment program may issue a single check for multiple children. • Timeliness of notice to providers when a child is no longer eligible to receive subsidies. • Administrative recourse and penalties for late payments to child care providers. <p>5-6 Amendment changes "time sheets" to "attendance records."</p> <p>5-29 amendment changes "shall adopt" to "shall consider developing".</p> <ul style="list-style-type: none"> • "If a penalty is assessed against an APP, the program shall use only" its 19% "administrative and support service funds ... to pay the penalty." 	<p>Committee on Ed</p> <p>4-14 amended</p> <p>4-29 passed committee 8-2</p> <p>To Appropriations</p> <p>5-6 Amended</p> <p>5-13 Appropriations suspense file</p> <p>5-29 amended and passed Appropriations 12-5</p>	<p>Support</p> <ul style="list-style-type: none"> • AFSCME 4-29-09 • SEIU 4-29-09 <p>Oppose</p> <ul style="list-style-type: none"> • CCDAA 4-29-09 • CAPP 7-6-09

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		6-3 Passed Assembly 47-30 To Senate Rules for assignment	
AB 364	Establishes a pilot program for an after school teacher pipeline	Dead	
AB 434 Block	Reduces Prop 49 after school program local matching from 33% to 15% 6-1 amendment changes the percent of the local matching that can be from facilities or space usage from not more than 25% to not more than 15%. 7-15 amendment removes 6-1 amendment. Cash or in-kind matching is 1/3. The percent of the local matching that can be from facilities or space usage is not more than 25% of the match. For 2009-10 and 2010-11, total match is reduced to 15%, of which not more than 15% can be facilities or space usage.	4-1 passed committee 10-1 4-23 Appropriations suspense file 6-1 amended and passed Appropriations 12-5 6-3 Passed Assembly 52-25 7-8 passed by Senate Education 9-0 To Appropriations 7-15 amended 8-17 Placed on suspense file 13-0 8-27 held under submission	Support <ul style="list-style-type: none"> • CCCCA 4-2-09 • CCDAA 4-14-09 • AFSCME 4-30-09 • Children's Initiative 4-30-09 • Fight Crime: Invest in Kids 4-30-09 • League of CA After-school Providers 4-30-09 • Saddleback Valley Unified School Dist 4-30-09 • San Diego After School Consortium 4-30-09 • 3 dozen other local programs or agencies 4-30-09 Oppose <ul style="list-style-type: none"> • Department of Finance 4-30-09
AB 495	CDE data gathering	Dead	
AB 595	Requires both a California and an FBI criminal record clearance or an exemption to be a foster parent	Signed by the governor	
AB 627	Pilot program for nutrition and physical activity standards in exchange for a higher state meal reimbursement.	10-11 vetoed	
AB 769	State preschool priority for kids of kids who are dependents or recent wards of the juvenile court	10-22 vetoed	
AB 932	Expands Child Care Facilities Revolving Fund to allow money to be used for purchase, development, construction, expansion, renovation, repair, or improvement of licensed child care.	Dead	
AB 983	Gutted and amended. No child care content.	9-9 Gutted and amended	
AB 997	Identifying sex offenders living in licensed residential child care, or foster care facilities.	Dead	
AB 1004	Gutted and amended. No child care content remaining.	4-16 gutted and amended	
AB 1124	Aging out out of the California Early Intervention Services Act	Dead	
AB 1195	ELQIS committee to advise in spending ARRA	Dead	
AB 1349	Funding for Prop 49 after school programs	Dead	
AB 1368	Requires staff member onsite in family child care with current certificate in pediatric first aid and pediatric CPR	10-11 signed by governor	
AB 1494 Eng	Rewrites and clarifies section of Brown Act on using electronic devices or intermediaries to develop a collective concurrence	8-6 signed by governor	
California Senate Bills			
SB5X-1	Race to the top changes	1-7 signed by governor	
SB5X-2	P-20 (preschool through grad school) data system.	1-7 signed by governor	

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SBX3 9 Ducheny	Subject to voter approval, would eliminate the First 5 Mass Media Communications Account and redirect \$268,000,000 a year from First 5 to support state health and human services programs. Urgency clause adopted.	1-12 passed Senate with different contents 2-14 gutted and amended and passed Assembly 72-5 2-15 Senate concurs in amendments; to enrollment; Motion to reconsider by Se. Flores granted	
SB 19	8-27 Gutted and amended; no child care content remaining	8-27 Gutted and amended	•
SBX3-25 Cox	Eliminates state and local First 5 and puts the tobacco tax money to other purposes. <ul style="list-style-type: none"> Existing unencumbered state First 5 trust fund money goes to the state general fund. What used to be First 5 income goes to the General Fund for the Healthy Families Program and the Medi-Cal program. Funding for the Breast Cancer Fund and the Health Education Account and the Research Account shall not be subject to the requirement that all costs for this act shall be paid from First 5 money. Existing unencumbered local First 5 trust fund money will be distributed: 50% to local County Office of Education, thence to districts according to ADA; 50% to local County government, with 50% of that 50% being redistributed to cities, according to population. Existing state First 5 contracts will be administered by state HHS. Existing local First 5 contracts will be administered by the Counties. Urgency statute. Must be approved first by 2/3 of the legislature and then by 50%+ of the voters. 	2-10 introduced (Not dead because special session bills are not subject to the standard legislative calendar)	Support Oppose <ul style="list-style-type: none"> CCDAA 4-14-09 Riverside Co CC Consortium 4-23-09 CCCCA 7-2-09
SCR 44 Corbett	Resolved that: <ul style="list-style-type: none"> the Legislature requests CDE to review the current RMR methodology and implementation guidelines, and see if it gives sufficient access to working poor families; CDE must “operate an open and transparent process hold an open meeting where all vested stakeholders are fully versed in the methodology used for the regional market rate survey and are included in the planning and implementation process being undertaken by CDE to establish new rates or a new rate structure;” <p>7-8 amendment requests CDE to report to the Leg on its “hold an open meeting relating to the department’s review of current regional market rate methodology and implementation guidelines, and any recommended changes to the current methodology” by 4-1-2010.</p> <p>8-18 amendment specifies the process is an open meeting.</p> <p>8-26 amendment</p> <ul style="list-style-type: none"> states intent of the legislature to hold hearings , with CDE participating, to review California’s current regional market rate methodology and implementation guidelines, and question whether adherence to the current regional market rate system has resulted in sufficient access for working poor families, and execute any recommended changes to the current methodology; requests that all vested stakeholders be included in the planning and implementation for new rates or a new rate structure; discussion items include RMR rate history, current methodology, federal and state requirements, and the 	Introduced 5-6-09 7-8 Amended and passed Senate Education 7-0 8-17 passed Appropriations 9-3 8-18 amended 8-26 amended 9-2 Passed Senate To Assembly Ed Committee	Sponsored by CAPPA Support <ul style="list-style-type: none"> CWDA 6-26-09 Siskiyou Co LPC 6-26-09 YMCA Childcare Resource Service 6-26-09 Valley Oak Children’s Services 6-26-09

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	<p>regulations and implementation guidelines used to implement the regional market rate;</p> <ul style="list-style-type: none"> The joint legislative hearings should take place by April 1, 2010, so that any recommended changes to the current regional market rate methodology can be considered in budget negotiations; a 		
SCR 47 DeSaulnier	<p>States the intent of the Legislature to increase the SRR for Title 5 programs in future years, as resources become available, in order to provide staff of Title V child development centers and preschools with adequate salaries and benefits, provide adequate resources to support program quality for children, and keep programs open to serve parents and children.</p>	<p>5-14 introduced To committee on Rules 6-24 Withdrawn from committee; to third reading 8-24 passed Senate 24-11 To Assembly Ed committee</p>	<p>Sponsored by CCDAA Support • CCCCA 9-3-09</p>
SB 177 Lowenthal	<p>Car seating requirements for kids.</p> <ul style="list-style-type: none"> Changes requirements for kids under 6 to sit in the front seat; says the back seat has to be already full of kids under 8 instead of kids under 12. Deletes requirement that, after a certain date, money collected in fines for seat belt violations would continue to fund the current list of projects (.3% Fish and Game Preservation Fund, 32.02% Restitution Fund, 23.99% Peace Officers' Training Fund, 25.70% Driver Training Penalty Assessment Fund, 7.88% Corrections Training Fund, 0.78% Local Public Prosecutors and Public Defenders Training Fund, 8.64% Victim-Witness Assistance Fund, and 0.66% Traumatic Brain Injury Fund) Deletes findings about the value of seat belts. 	<p>2-17 introduced 3-9 to Transportation and Housing committee 3-31 passed committee 7-4 To Appropriations 4-20 Determined not to involve appropriations; to the floor 4-23 passed Senate 25-11 Assembly Committee on Transportation</p>	<p>Support • AFSCME 3-25-09 • CA Coalition for Children's Safety and Health 4-22-09</p>
SB 244 Wright	<ul style="list-style-type: none"> 3-31 amendment replaces all previous content; adds detailed description of proposed eligibility priority for foster kids and kids with parents in the judicial system. 6-1 amendment replaces all previous content. Says CDE' "shall conduct a study regarding the feasibility of providing priority enrollment in high-quality child care and development programs for children from birth to five years of age who are in the foster care system, in relative care or reunification, or were formerly in the foster care system, who are at risk of abuse, neglect, or exploitation, are homeless, or have a custodial parent in the foster care system, or are on probation or parole, or in a correctional or residential treatment facility" and report back by 12-31-2010 <p>7-8 Amendment makes wording change above.</p>	<p>Introduced 2-24 3-31 amended 4-2 committee on Ed 4-22 passed committee 6-1 To Appropriations 5-4 amended 5-18 Appropriations suspense file 5-20 amended Hearing date 5-28</p>	<p>Sponsored by LA COE and LA Co Education Foundation Support • Alameda COE 4-20-09 • Assn of CA School Administrators 4-20-09 • Compton Unified 4-20-09 • Maria's Italian Kitchen 4-20-09 • Santa Clara COE 4-20-09 • Sally & Dick Roberts Coyote Foundation 4-20-09 • CA Chapter of Natl Assn of Social Workers 7-1-09 Watch</p>

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		(Suspense - for vote only) 6-1 amended and passed Appropriations 7-5 6-3 Passed Senate 25-9 To the Assembly 6-22 To Human Services 6-30 passed HS To Appropriations 7-8 amended Hearing date 8-19 First hearing cancelled at request of author	<ul style="list-style-type: none"> • CCCCCA 4-2-09 • CWDA 4-24-09
SB 293	Changes birthday cutoff for kindergarten entry	Dead	
SB 379	Exempts Heritage schools from child care licensure.	Dead	
SB 383	Autism Spectrum Disorders Early Screening, Intervention, and Treatment Pilot Program	Dead	
SB 702	Employees of an “ancillary child care center,” are considered license-exempt providers who must be TrustLined	10-11 signed	•
SB 797 Pavley	<p>Would “prohibit the manufacture, sale, or distribution in commerce of any bottle, cup, or liquid, food, or beverage in a can or jar <u>or plastic bottle that contains bisphenol A or that is lined with a material that contains bisphenol A</u>, at a level above 0.1 parts per billion” and require manufacturers to use the least toxic substitute.</p> <p>6-25 amendment</p> <ul style="list-style-type: none"> • Includes the lining of a container. • Adds plastic bottles to list of types of containers <p>7-15 amendment makes it take effect January 1, 2011.</p> <ul style="list-style-type: none"> • Exempts containers for liquid infant formula. • Exempts medical devices • Repeals the bill if the Department of Toxic Substances Control adopts regulations that do certain things. 	<p>2-27 introduced</p> <p>3-19 to committees on Environmental Quality and Health</p> <p>4-20 passed committee 5-2</p> <p>To Committee on Health</p> <p>4-29 passed committee 6-2</p> <p>6-2 passed Senate 21-16</p> <p>To the Assembly</p> <p>Committees on Environmental Safety & Toxic Materials and Health</p> <p>6-25 amended in ES&TM</p> <p>6-30 Passed by ES&TM committee 5-2</p> <p>7-14 passed Health 10-6</p>	<p>Sponsored by Environmental Working Group Support</p> <ul style="list-style-type: none"> • Breast Cancer Fund 4-20-09 • CA League of Conservation Voters 4-20-09 • CA Nurses Association 4-20-09 • CA WIC 4-20-09 • Clean Water Action 4-20-09 • Commonwealth 4-20-09 • Consumer Federation of CA 4-20-09 • Consumers Union 4-20-09 • Environment CA 4-20-09 • MOMS (Making our Milk Safe) 4-20-09 • Physicians for Social Responsibility 4-20-09 • Planned Parenthood Affiliates of CA 4-20-09 • Planning and Conservation League 4-20-09 • San Diego Coastkeeper 4-20-09 • SEIU 4-20-09 • Sierra Club California 4-20-09 • Women's Foundation of CA 4-20-09 • Zero Breast Cancer 4-20-09 • Asian Health Services 4-28-09 • CA Assn of Sanitation Agencies 4-28-09 • CALPIRG 4-28-09 • CA Teamsters 4-28-09 • Co of LA • Natural Resource Defense Council 4-28-09

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		<p>To the floor</p> <p>7-15 amended</p> <p>9-9 failed in Assembly 35-32</p> <p>9-9 Motion to reconsider made by Assembly Member John A. Perez.</p> <p>9-10 Placed on inactive file on request of Assembly Member Torrico</p>	<p>Oppose</p> <ul style="list-style-type: none"> • American Chemistry Council 4-20-09 • CA Grocers Assn 4-20-09 • Civil Justice Assn of CA 4-20-09 • CA Chamber of Commerce 4-28-09 • Can Manufacturer's Institute 4-28-09 • International Formula Council 4-28-09
<p>SB 798 DeSaulnier</p>	<p>Rewrites funding system for 21st Century Community Learning Centers Program. People involved in administering this program should read the bill. I don't know enough about the program to see what the changes are.</p> <p>4-1 amendment says it applies to elementary and middle school programs and selected high school programs (ASES)</p> <ul style="list-style-type: none"> • Requires all school sites operating during the summer that are eligible to provide free meals and snacks to participating children through the United States Department of Agriculture's Summer Food Service Program to offer free meals and snacks through the federal Summer Food Service Program or the federal Seamless Summer Option. <p>4-29 amendment changes Advisory Committee on Before and After School Programs from an entity that must consent to changes in the program to one that CDE must consult with.</p> <p>1-11 amendment deletes all current content and replaces it with: Whenever this program's appropriation exceeds the 2008-09 appropriation, the excess goes to direct grants:</p> <ol style="list-style-type: none"> (1) Thirty-five percent to community learning centers serving high school pupils. (2) Fifty percent to community learning centers serving elementary and middle school pupils. (3) Fifteen percent to summer programs serving elementary and middle school pupils. 	<p>2-27 introduced</p> <p>3-19 committee on Ed</p> <p>Hearing date 4-15</p> <p>4-1 amended</p> <p>4-2 Hearing canceled at the request of author</p> <p>4-22 passed committee 9-0</p> <p>To Appropriations</p> <p>4-29 amended</p> <p>5-11 Appropriations suspense file</p> <p>5-28 held under submission</p> <p>1-11-10 amended</p> <p>1-21 passed by Appropriations 6-3</p> <p>1-28 passed Senate 31-6</p> <p>To the Assembly</p>	<p>Support</p> <ul style="list-style-type: none"> • 40 16 Agencies with programs 1/22/10 • AFSCME 4-20-09 • Bay Area Partnership 1/22/10 • CA Food Policy Advocates 1/22/10 • Children Now 1/22/10 • Cybermill 1/22/10 • Fight Crime: Invest in Kids 1/22/10 • League of CA Afterschool Providers 1/22/10 • San Francisco Department of Children Youth & Their Families 1/22/10 • Sunset Neighborhood Beacon Center 1/22/10 • Woodcraft Rangers 1/22/10 • Alameda BOS 1/22/10 • CA School Boards Assn 1/22/10 • Assn of CS School Administrators 1/22/10
<p>Federal Legislation (Federal legislation is much harder to track than state, so if anybody notices a significant change to these bills, please let me know.) (The federal leg website doesn't give direct links to bills. Go to http://thomas.loc.gov/cgi-bin/thomas and search on the bill number)</p>			
<p>HR 702 Hirono</p>	<ul style="list-style-type: none"> • Matching grants to states to enhance or improve state-funded preschool programs • Grant formula favors states that: 	<p>1-27-09 House Committee</p>	

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	<ul style="list-style-type: none"> ○ have curricula aligned with state early learning standards ○ use nationally-established, or better, best practices for class size and teacher-to-student ratios ○ require each teacher to have at least an associate degree in early childhood education or a related field ○ require such programs to operate for at least a full academic year ○ have a plan for meeting the requirement, within five years of receiving such grant, that teachers have at least a baccalaureate degree in early childhood education or have such degree in a related field, but have also completed specialized training in early childhood education. ● Prohibits state grantees from reducing their preschool or child care expenditures. ● Requires priority for areas of concentrations of impoverished children ● Among grant uses: <ul style="list-style-type: none"> ○ increasing the qualifications of, and benefits provided to, teachers, teacher aides, and program directors ○ decreasing class size and improving teacher-to-student ratios; ○ providing certain comprehensive services that support healthy child development ○ extending program duration; and (5) improving program monitoring and learning environments. ● Reserves funds for competitive grants to Indians for their preschool programs. 	on Education and Labor	
HR 1685 McCarthy	<ul style="list-style-type: none"> ● Funding to community development financial institutions (CDFI) and other nonprofit lenders to provide low-cost loans and grants to child care providers. 		Support ● LIIF 4-10-09
HR 2041 Lowey	<ul style="list-style-type: none"> ● Provides 1/3 federal matching grants to businesses and consortia who provide or subsidize employees' child care and to non-profits who offer technical assistance to them. 	Introduced 4-22-09	
USH 1755 Hare	<ul style="list-style-type: none"> ● Awards 5-year initial grants to States to establish, enhance, or expand high-quality preschool programs for children ages 3 through 5 in rural areas ● States may spend 5% for various quality improvements ● Allotment formula shall consider local barriers to quality education, local needs including learning disabilities and limited English proficiency, and current availability of programs ● Provider eligibility requires <ul style="list-style-type: none"> ○ max class size of 20 ○ teacher-to-student ratio of 10 to 1 or lower; ○ adherence to comprehensive early learning standards; ○ at least one highly nutritious meal for each child for every 3 hours of program participation per day; and ○ at least one highly nutritious snack for each child participating in the program for up to 3 hours per day. 	Introduced 3-26-09	

AFSCME = American Federation of State, County, and Municipal Employees
 BOS = Board of Supervisors
 CAEYC = California Association for the Education of Young Children
 CAPP = California Alternative Payment Program Association
 CCCCA = California Child Care Coordinators Association
 CCDAA = California Child Development Administrators Association
 CCLC = Child Care Law Center
 CDPI = Child Development Policy Institute
 CCSESA = California County Superintendents Educational Services Association
 CFT = California Federation of Teachers
 COE = County Office of Education

CSAC = California State Association of Counties
 CTA = California Teachers Association
 CWDA = County Welfare Directors' Association
 First 5 = First 5 Commission of California
 LCC = League of California Cities
 LIIF = Low Income Investment Fund
 LPC = Local Planning Council
 PACE = Professional Association for Childhood Education
 PTA = California State Parent Teachers Association
 R&R = California State Resource & Referral Network
 SEIU = Service Employees International Union