

## Child Care Legislative Summary, 2009

Bill link & author	Description of Bill <b>Highlighted</b> text is new or changed since last Friday.	Status, Recent History	Positions (See last page for abbrevs.)
<b>California Assembly Bills</b>		<b>Bold</b> = introduced or amended since last San Diego public policy meeting	Date is either when the position was published or when I verified it.
<a href="#">ABX3-1</a> Evans	Budget bill; 2-14 amendment. <ul style="list-style-type: none"> <li>• Sets maximum APP reimbursement rate to 75<sup>th</sup> percentile of 2007 RMR, effective July 1, 2009.</li> <li>• \$10,000,000 for “the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers.”</li> <li>• Adds 13 positions at CDE “to address compliance monitoring and overpayments”. CDE shall provide to the Leg and Dept of Finance yearly overpayment data by program and by provider, including instances and amounts of overpayments and fraud.</li> <li>• \$736,000 to replace CDE’s provider reporting system software.</li> <li>• \$5,000,000 for wraparound care to children enrolled in state preschool programs. Priority to children enrolled in prekindergarten and family literacy programs.</li> <li>• \$11,062,664 for the infant and toddler earmark, for increasing the supply of quality child care for infants and toddlers.</li> <li>• \$2,969,000 in one-time federal funding to fully fund TrustLine workload; anything left over to be used for quality expenditures.</li> <li>• \$4,000,000 to train former CalWORKs recipients as child care teachers</li> <li>• \$2,700,000 to DSS for increased inspections of child care facilities</li> <li>• \$1,000,000 for TrustLine registration workload</li> <li>• \$500,000 for health and safety training for licensed and exempt child care providers,</li> <li>• \$300,000 for the Health Hotline</li> <li>• \$300,000 to implement a technical assistance program to child care providers in accessing financing for renovation, expansion, or construction of child care facilities.</li> <li>• \$15,000,000 for AB 212 (same as last year)</li> <li>• Monthly sharing of case load data between CDE and DSS to facilitate moving money between APP programs.</li> <li>• Income eligibility limits from 2007–08 and 2008–09 remain in effect for 2009–10.</li> <li>• “Family fee schedule for child care providers to reflect a state median income of \$66,166 annually for a family of four.” Lowest family fees go up \$2; sliding scale reaches 10% of family income at a lower income.</li> <li>• \$5,000,000 of the Child Care Facilities Revolving Fund may be used for one-time renovations and repairs to meet health and safety standards, to comply with ADA, and to perform emergency repairs, that were the result of an unforeseen event and are necessary to maintain continued normal operation of the program.</li> <li>• Requires CDE to gather a great deal of information from APPs and providers; for each kid, they will need to track the program, child’s age, family income, family size, work status of parents, full time vs part time, age at entry into the program, foster care yes/no, family fees collected, family co-pays collected, exempt from family fees by family size yes/no, reasons for fee exemptions; for each program CDE must track: percentage of families receiving child care due to CPS, foster care, seeking work, working, or in training programs leading to work, and the relative distribution of families entering the system by family income and size; for each APP program, the incidence, relative proportion, and dollar magnitude of actual care payments per child and family that are in excess of or below the current mean-market rates, classified in percentage increments from the mean-market rate.</li> </ul>	1-12 passed Assembly as spot bill  2-14 amended to add content and passed Budget and Fiscal Review committee  To the floor  To third reading  2-15 urgency clause defeated 25-13	<ul style="list-style-type: none"> <li>•</li> </ul>

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<a href="#">ABX3-4</a> Evans	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: right;">January Proposed</th> <th style="text-align: right;">This Bill</th> <th style="text-align: right;">Cut</th> <th style="text-align: right;">% Cut</th> </tr> </thead> <tbody> <tr> <td><b>Preschool Education</b></td> <td style="text-align: right;">441,854,000</td> <td style="text-align: right;">426,327,000</td> <td style="text-align: right;">15,527,000</td> <td style="text-align: right;">3.5%</td> </tr> <tr> <td><b>Child Care Services</b></td> <td style="text-align: right;">1,857,104,000</td> <td style="text-align: right;">1,775,310,000</td> <td style="text-align: right;">81,794,000</td> <td style="text-align: right;">4.4%</td> </tr> <tr> <td><b>General child development Programs</b></td> <td style="text-align: right;">804,649,000</td> <td style="text-align: right;">773,796,000</td> <td style="text-align: right;">30,853,000</td> <td style="text-align: right;">3.8%</td> </tr> <tr> <td><b>APP</b></td> <td style="text-align: right;">257,037,000</td> <td style="text-align: right;">257,037,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>Migrant Day Care</b></td> <td style="text-align: right;">40,570,000</td> <td style="text-align: right;">35,966,000</td> <td style="text-align: right;">4,604,000</td> <td style="text-align: right;">11.3%</td> </tr> <tr> <td><b>Stage 2</b></td> <td style="text-align: right;">369,960,000</td> <td style="text-align: right;">342,960,000</td> <td style="text-align: right;">27,000,000</td> <td style="text-align: right;">7.3%</td> </tr> <tr> <td><b>Stage 3</b></td> <td style="text-align: right;">245,204,000</td> <td style="text-align: right;">230,204,000</td> <td style="text-align: right;">15,000,000</td> <td style="text-align: right;">6.1%</td> </tr> <tr> <td><b>R&amp;R</b></td> <td style="text-align: right;">19,438,000</td> <td style="text-align: right;">19,438,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>Extended Day Care</b></td> <td style="text-align: right;">35,890,000</td> <td style="text-align: right;">31,553,000</td> <td style="text-align: right;">4,337,000</td> <td style="text-align: right;">12.1%</td> </tr> <tr> <td><b>Allowance for Handicapped</b></td> <td style="text-align: right;">1,997,000</td> <td style="text-align: right;">1,997,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>Quality Improvement</b></td> <td style="text-align: right;">67,572,000</td> <td style="text-align: right;">67,572,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>CEL</b></td> <td style="text-align: right;">7,900,000</td> <td style="text-align: right;">7,900,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>Planning Councils</b></td> <td style="text-align: right;">6,637,000</td> <td style="text-align: right;">6,637,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>COLA</b></td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> <tr> <td><b>Growth</b></td> <td style="text-align: right;">10,917,000</td> <td style="text-align: right;">10,917,000</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> </tbody> </table>		January Proposed	This Bill	Cut	% Cut	<b>Preschool Education</b>	441,854,000	426,327,000	15,527,000	3.5%	<b>Child Care Services</b>	1,857,104,000	1,775,310,000	81,794,000	4.4%	<b>General child development Programs</b>	804,649,000	773,796,000	30,853,000	3.8%	<b>APP</b>	257,037,000	257,037,000	0	0	<b>Migrant Day Care</b>	40,570,000	35,966,000	4,604,000	11.3%	<b>Stage 2</b>	369,960,000	342,960,000	27,000,000	7.3%	<b>Stage 3</b>	245,204,000	230,204,000	15,000,000	6.1%	<b>R&amp;R</b>	19,438,000	19,438,000	0	0	<b>Extended Day Care</b>	35,890,000	31,553,000	4,337,000	12.1%	<b>Allowance for Handicapped</b>	1,997,000	1,997,000	0	0	<b>Quality Improvement</b>	67,572,000	67,572,000	0	0	<b>CEL</b>	7,900,000	7,900,000	0	0	<b>Planning Councils</b>	6,637,000	6,637,000	0	0	<b>COLA</b>	0	0	0	0	<b>Growth</b>	10,917,000	10,917,000	0	0	1-12 passed Assembly as spot bill  2-14 amended and passed Budget and Fiscal Review committee  To the floor  To third reading	<ul style="list-style-type: none"> <li>•</li> </ul>
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<a href="#">AB 12</a> Beall	<ul style="list-style-type: none"> <li>• AFDC Foster care: Abolishes 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” and requires the state to institute a different federal kinship guardianship assistance program. Follow the link for details of the new program.</li> <li>• Extends age to 21</li> <li>• “No appropriation from the General Fund would be made for the purposes of implementing these provisions.”</li> </ul>	12-2-08 Introduced	<ul style="list-style-type: none"> <li>•</li> </ul>																																																																																
<a href="#">AB 89</a> Torlakson	<ul style="list-style-type: none"> <li>• Creates new tobacco tax of 10.5¢ a cigarette and a quarterly inventory tax on tobacco vendors of 10.5¢ a cigarette, to be put into a Tobacco Excise Tax Account and used exclusively for:               <ul style="list-style-type: none"> <li>• Education</li> <li>• Children's health care.</li> <li>• Tobacco cessation services.</li> <li>• Lung cancer research.</li> <li>• General health care</li> </ul> </li> </ul>	1-5-09 introduced  2-23 to committees on Revenue & Taxation and Government Operations	<ul style="list-style-type: none"> <li>•</li> </ul>																																																																																
<a href="#">AB 434</a> Block	Reduces Prop 49 after school program local matching from 33% to 15%	2-25 introduced	<ul style="list-style-type: none"> <li>•</li> </ul>																																																																																
<a href="#">AB 495</a> Davis	<ul style="list-style-type: none"> <li>• Would require CDE to annually determine:               <ul style="list-style-type: none"> <li>○ the number of 3- and 4-year-old children in the state and in each county,</li> <li>○ the number of licensed providers offering preschool services,</li> <li>○ the number of children that each licensed provider could accommodate with respect to preschool services.</li> </ul> </li> <li>• And post it on the internet.</li> </ul>	2-24 introduced	<ul style="list-style-type: none"> <li>•</li> </ul>																																																																																
<a href="#">AB 595</a> Adams	<ul style="list-style-type: none"> <li>• Would prohibit DSS from issuing a license to any foster family home or certified family home applicant who has not obtained both a California and Federal Bureau of Investigation criminal record clearance or an exemption</li> <li>• Would prohibit placement of the child in the home of a person if the criminal records check indicates the person has been convicted of a crime that DSS cannot grant an exemption for with respect to foster family home and certified family home applicants.</li> </ul>	2-25 Introduced	<ul style="list-style-type: none"> <li>•</li> </ul>																																																																																

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	<ul style="list-style-type: none"> <li>Would also prohibit placement of a child in the home of a person who has been convicted of an exemptible crime, unless the county grants a criminal records exemption, based on substantial and convincing evidence, to support a reasonable belief that the person with the criminal conviction is of such good character as to justify the placement and not present a risk of harm to the child.</li> </ul>		
<a href="#">AB 627</a> Brownley	<p>As a condition of licensing, every child care facility would have to follow these rules:</p> <ul style="list-style-type: none"> <li>Only 2 percent milk shall be served to children over two years of age.</li> <li>Juice shall be limited to one serving per day, and only 100 percent juice shall be served.</li> <li>At least one vegetable shall be served at lunch and supper.</li> <li>Deep fat frying shall be prohibited onsite.</li> <li>Sugar shall be limited to 6 grams per serving for both hot and cold cereals.</li> <li>For children in full day care, screen time, including, but not limited to, television, video games, and computer usage, shall be limited to a maximum of one hour per day and shall be limited to educational programming or programs that encourage movement. For children in less than full day care, screen time shall be reduced proportionately.</li> </ul> <p>As a condition of receiving state nutrition money, participating entities shall do all of the above plus:</p> <ul style="list-style-type: none"> <li>Limit the serving of fried potatoes to one time per week.</li> <li>Limit the serving of sweet grains, including, but not limited to, toaster pastries, cookies, coffee cake, sweet rolls, doughnuts, or cakes, to no more than two times per week, and only as snacks.</li> <li>Serve at least one whole grain per day.</li> <li>Limit serving hot dogs, SPAM, luncheon meats, and other processed meat products to a maximum of three times per week.</li> <li>Not serve sugar-sweetened or artificially sweetened beverages.</li> </ul>	2-25 introduced	Support <ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 769</a> Torres	Adds “children who have a biological parent who is, or who has been within the previous 6 months, under the jurisdiction of the delinquency or dependency court” as a priority for state preschool equivalent to CPS referral. I.e, kids of foster kids (and some others) are eligible for state preschool with a CPS-level priority.	2-26 Introduced	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 932</a> Torlakson	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	2-26 introduced	Support <ul style="list-style-type: none"> <li>CCCCA 3-5-09</li> </ul>
<a href="#">AB 983</a> Skinnere	Would allow Prop 49 after school programs to operate on weekends.	2-27 introduced	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 1004</a> Portantino	Amends the Brown Act to delete the requirement that at least a quorum of the members of the body participating in a teleconferenced meeting be located within the boundaries of the territory over which the local agency exercises jurisdiction	2-27 introduced	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 1124</a> Yamada	<b>When a child ages out of the California Early Intervention Services Act at 3 and applies for a preschool program for kids 3-5 with special needs, the school district must continue to provide the same services as the California Early Intervention Services Act while application hearings are continuing.</b>	<b>2-27 introduced 3-26 to committee on Ed.</b>	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 1195</a> Brownley	The QRIS committee established by last year’s SB 1629 (Steinberg) “shall assist CDE in the development of a plan to implement any new federal grant funds made available after March 1, 2009, for child care and development programs and early childhood education.”	2-27 Introduced	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 1349</a> Torlakson	<ul style="list-style-type: none"> <li>Continuously appropriates \$550,000,000 for Prop 49 after school programs</li> <li>Changes formula by which Prop 49 money is reduced under certain circumstances</li> </ul>	2-27 introduced	<ul style="list-style-type: none"> <li></li> </ul>
<a href="#">AB 1494</a> Eng	<ul style="list-style-type: none"> <li>Rewrites and clarifies section of Brown Act on using electronic devices or intermediaries to develop a collective concurrence</li> <li>Permits agency staff to talk with members and answer their questions, as long as the staff don’t tell members what other members think or say</li> </ul>	2-27 introduced	<ul style="list-style-type: none"> <li></li> </ul>

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<a href="#">SB 19</a> Simitian	States intent of legislature to create the “Statewide Education Data Governing Board, the purpose of which would be to facilitate the linking of education data from disparate education and noneducation sources.”	12-1-08 introduced	•
<a href="#">SBX3-25</a> Cox	Eliminates state and local First 5 and puts the tobacco tax money to other purposes. <ul style="list-style-type: none"> <li>• Existing unencumbered state First 5 trust fund money goes to the state general fund.</li> <li>• What used to be First 5 income goes to the General Fund for the Healthy Families Program and the Medi-Cal program.</li> <li>• 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.</li> <li>• 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.</li> <li>• Existing state First 5 contracts will be administered by state HHS. Existing local First 5 contracts will be administered by the Counties.</li> <li>• Urgency statute.</li> <li>• Must be approved first by 2/3 of the legislature and then by 50%+ of the voters.</li> </ul>	2-10 introduced	•
<a href="#">SB 177</a> Lowenthal	Seat belts for kids: <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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)</li> <li>• Deletes findings about the value of seat belts.</li> </ul>	2-17 introduced 3-9 to Transportation and Housing committee <span style="background-color: yellow;">Hearing date 3-31</span>	Support <span style="background-color: yellow;">• AFSCME 3-25-09</span>
<a href="#">SB 244</a> Wright	Declares the intent of the Legislature to enact legislation that would establish a more cohesive, effective, and equitable system for addressing the needs of high-risk children that would reduce the long-term educational, social, and economic impacts that occur when early childhood needs are not met, <ul style="list-style-type: none"> <li>• Establishes, in each county or consortium of counties, a committee or similar entity with authority to coordinate systems of care, review data, and ensure timely delivery of services to high-risk children.</li> <li>• Implement changes to eligibility and priority enrollment criteria for existing early care and education programs to ensure inclusion of high-risk children.</li> <li>• Establish a state-level committee or similar entity to make recommendations to the Legislature before January 1, 2011, that will improve and integrate services to children with special needs, with particular attention to transition issues for children at age three.</li> </ul>	Introduced 2-24	•
<a href="#">SB 293</a> Runner	<span style="background-color: yellow;">Changes birthday cutoff for kindergarten entry from Dec 2 currently to:</span> <ul style="list-style-type: none"> <li>• <span style="background-color: yellow;">November 1 in 2010-11</span></li> <li>• <span style="background-color: yellow;">October 1 in 2011-12</span></li> <li>• <span style="background-color: yellow;">September 1 in 2012-13</span></li> </ul>	<span style="background-color: yellow;">3-9 introduced</span>	•
<a href="#">SB 379</a> Huff	<ul style="list-style-type: none"> <li>• Exempts Heritage schools from child care licensure.</li> <li>• The definition of heritage school is confusingly written, but I think it means a school that does all of the following and serves children at least 4 years and 9 months old who also attend a regular year-round school:                             <ul style="list-style-type: none"> <li>○ Specifies regular hours of operation.</li> </ul> </li> </ul>	2-26 introduced	•

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	<ul style="list-style-type: none"> <li>○ Offers education or academic tutoring, or both, in a foreign language.</li> <li>○ Offers education on the culture, traditions, or history of a country other than the United States.</li> <li>○ Offers culturally enriching activities, including, but not limited to, art, dancing, games, or singing, based on the culture or customs of a country other than the United States.</li> <li>○ Maintains membership in an association that upholds a specified set of health and safety standards</li> <li>○ Maintains separate classes for adults and children, when applicable.</li> <li>○ Maintains an adult-child ratio of at least 1:14 and a tutor-child ratio of at least 1:28.</li> <li>○ Does not operate out of a residential home.</li> <li>○ At least one school staffer has at least 15 hours of health and safety training</li> </ul> <ul style="list-style-type: none"> <li>● Changes definition of license-exempt Public recreation program to refer to pupils instead of students. (In CDE-speak, a pupil is a student under the supervision of a teacher. It is not clear to me if this is intended as a substantive change.)</li> </ul>		
<a href="#">SB 383</a> Liu	<ul style="list-style-type: none"> <li>● The Department of Developmental Services must develop recommendations for a system of universal autism screening for infants and rescreening for 2 year olds.</li> <li>● As much as possible this should be done with federal money and without statutory changes</li> </ul>	2-26 introduced 3-12 to committee on Human Services Hearing date 4-29	•
<a href="#">SB 797</a> Pavley	Would “prohibit the manufacture, sale, or distribution in commerce of any bottle, cup, or liquid, food, or beverage in a can or jar that contains bisphenol A at a level above 0.1 parts per billion” and require manufacturers to use the least toxic substitute.	2-27 introduced 3-19 to committees on Environmental Quality and Health	•
<a href="#">SB 798</a> DeSaulnier	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.	2-27 introduced	•

### Ballot Propositions

<a href="#">1D</a>	<p>Temporary redirection of funds</p> <ul style="list-style-type: none"> <li>● Moves \$340 million in unencumbered state First 5 current reserves to the general fund.</li> <li>● For 5 years, moves \$268 in First 5 income to the state general fund, 1/5 of which would come from the state First 5 and 4/5 from local First 5. This amounts to all of state income (and match) and an increasing percentage of local income, beginning with about 50%.</li> </ul> <p>Permanent changes</p> <ul style="list-style-type: none"> <li>● Requires that an auditor sit on local First 5 commissions</li> <li>● Requires that the 6% of First 5 income currently spent by state First 5 on mass communications be moved into general programs.</li> <li>● “Allows a county controller to borrow from local commission income for that county’s general fund, unless the transfer would interfere with local commission activities.”</li> </ul>	On May 19 ballot	•
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AFSCME = American Federation of State, County, and Municipal Employees  
 CAEYC = California Association for the Education of Young Children  
 CAPPA = 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

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  
 LPC = Local Planning Council  
 PACE = Professional Association for Childhood Education  
 R&R = California State Resource & Referral Network  
 SEIU = Service Employees International Union

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