



County of Los Angeles
 Child Care Planning Committee and Policy Roundtable for Child Care



Winners and Losers
A Report on the California State Budget and Legislature
Child Care and Development

California State Budget 2008-09¹

- Allocates nearly \$2.3 billion to California Department of Education child care and development programs, including funding for state preschool, general child development, Alternative Payment, CalWORKs child care, resource and referral, school age (latchkey), quality improvement, centralized eligibility lists, and local planning councils.
- No Cost of Living Adjustment (COLA), however growth adjustments at .69% are to be applied to state preschool, general child development, migrant care, Alternative Payment, school age, and the handicap allowance.
- Of the funds allocated to state preschool, \$50 million is for the Prekindergarten and Family Literacy (PKFL) Program; of that amount, \$5 million is available for the provision of wraparound care for children enrolled in state preschool programs.
- Delays implementation of the reimbursement rates based on the 2007 Regional Market Rate Survey to March 1, 2009. Child care costs will be reimbursed up to the 85th percentile of the rates charged by providers offering the same type of child care for the same age child in that region.
- Eliminates restriction ensuring that fees are not charged to families with incomes lower than 40 percent of the State Median Income (SMI).
- The maximum Standard Reimbursement Rate (SRR) is not to exceed \$34.88 per day for general child care programs and \$21.22 per day for state preschool programs.
- Reduces amount of funding Alternative Payment Programs may spend on administrative overhead from 20 percent to 19 percent of total contract amount.
- Restores funding to \$15 million for the recruitment and retention program and maintains funding at \$7.9 million for the county-based centralized eligibility lists.
- Funds to California School Age Families Education (Cal-SAFE) programs based on estimates to maintain existing programs and services; reduces funding for Cal-SAFE Child Care by just over \$2 million.
- Allows encumbrance for one year of funds allocated to the After School Education and Safety (ASES), which is continuously appropriated at \$550 million each fiscal year from the General Fund.
- Reduces funding to Community Care Licensing by \$11.4 million.

California State Legislature – Second Year, 2007-08²

Licensing

AB 978 (Benoit)	Strengthens enforcement relating to serious violations in licensed facilities, including child care centers and family child care homes, which compromise the health and safety of the elderly and children. Specifies reporting requirements and imposes additional inspection requirements and civil penalties, which may range from \$25 per day to \$50 per day per violation or as high as \$150 per day per violation if warranted. Civil penalties collected may be used to provide technical assistance, training and education of licensee.	Chapter 291 Signed: 9/25/08
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¹ Sources include California State Budget 2008-09, enacted budget bills AB 4, AB 88, AB 1389, and AB 1279, and Child Development Policy Institute Information Bulletins (September 23, 2008 and October 2, 2008).

² To obtain additional information about any legislation, go to www.leginfo.ca.gov/bilinfo.htm.

Child Care and Development Subsidy System: Appropriations, Contracting and Administration		
AB 659 (Ma)	Extends authorization of local policy developed by City and County of San Francisco to supersede state law by including families enrolled in locally funded programs in the continuity of care provisions that apply to state and federally funded programs. Adds elements to a currently required report.	Vetoed: 9/26/08 <i>Veto message:</i> "The continuity of services in child care settings is a laudable goal. However, this bill would create a negative incentive for the county to rely on the availability of state and federally funded programs to alleviate their local program needs, rather than maximizing their local funds to create a comprehensive child care delivery system. The bill would also create significant Proposition 98 General Fund cost pressure to expand state child care programs at a time of fiscal challenge."
AB 1028 (Caballaro)	Amends current law by establishing accounting and auditing practices for child care and development programs holding contracts with CDE. Requires child care contractor receiving additional funds to separately account for all sources and amounts of funds, and to report the amount of all funds to ensure contractor not reimbursed for same activity twice. Prohibits deducting charitable contributions against state funding for child care contractors.	Vetoed: 10/28/08 <i>Veto message:</i> "The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time."
SB 1304 (Simitian)	Extends existing law that allows County of San Mateo to individualize county child care subsidy plan for five years.	Chapter 61 Signed: 7/3/08
Preschool Reform		
AB 2759 (Jones)	Amends law by consolidating existing child development programs serving 3 and 4 year old children into the California Preschool program and provides for meeting the needs of families for part- or full-day child development services. Requires CDE to annually monitor funding utilized for infants and toddlers and hours of preschool services provided.	Chapter 308 Signed: 9/26/08
Enhancing Quality		
SB 1629 (Steinberg)	Establishes the Early Learning Quality Improvement System Advisory Committee to develop the policy and implementation plan for a statewide Early Learning Quality Improvement System. The plan shall address four elements: 1) Assessment and analysis of existing early care and education of existing infrastructure, including other state and local quality improvement systems; 2) Development of early learning quality rating scale for child care and development programs serving children from birth to five years old; 3) Development of a funding model assigned with the quality rating scale; and 4) Recommendations on how local, state, federal and private resources can be utilized to complement a statewide funding model as part of a comprehensive effort to improve the child care and development system of the state, including preschool.	Chapter 307 Signed: 9/26/08

Professional Development		
AB 1871 (Coto)	Amends existing law that authorizes the Commission on Teacher Credentialing to issue certificates of English language development and bilingual-crosscultural competence to holders of credentials serving limited English-proficient pupils. Requires candidates for bilingual-crosscultural competence to demonstrate the knowledge, skills, and language proficiency required for the authorization and authorizes candidates to demonstrate abilities by completing an approved program that consists of coursework or a combination of coursework and examinations.	Chapter 660 Signed: 9/30/08
Children with Disabilities and Other Special Needs		
AB 131 (Beall)	Allows local education agencies (LEA) or schools to hire individual with education specialist credential to instruct 3 and 4 year old children diagnosed with autism. Sets forth the competence criteria for the person providing instruction and the requirements of LEAs and schools to maintain verification.	Chapter 487 Signed: 9/28/08
SB 1475 (Torlackson)	Requires the State Department of Developmental Services (DDS) to establish a two-year pilot project to establish practices between regional centers and school districts for early identification and assessment of children from birth to age five with autism spectrum disorders. DDS is to apply to the California Children and Families Commission for funding for the pilot program.	Vetoed: 9/30/08 <i>Veto message:</i> "I share the author's strong commitment to the integration of services for children with autism spectrum disorders. However, the provisions of this bill can be accomplished administratively with funding from private, non-state general fund sources. In addition, given our state's ongoing fiscal challenges, it is not the time to be enacting new programs in statute. "I would encourage the author and sponsors to work directly with entities willing to fund this type of program."
Organizing Child Care Providers		
SB 867 (Cedillo)	Authorizes family child care providers to be represented by a single provider organization for purposes of performing certain functions, including operating substitute provider pools, marketing, offering business training, meeting with state regulatory agencies, and negotiating with public and private entities that administer state child care subsidies.	Vetoed: 3/20/08 <i>Veto message:</i> "Given California's significant budget challenge, I cannot consider bills that would add significant fiscal pressures to the State's structural budget deficit."

Capacity Building		
AB 2346 (Swanson)	<p>Makes technical changes to law requiring space for state employee child care facilities when state contracts, renovates, or acquires buildings that can accommodate 700 or more state employees. Provides rental terms of any child care facility and authorizes Director of General Services to offer full rent subsidy or charge nothing for the use of the child care facility. Director of General Services required granting full rent subsidy only to child care facility that has received a rent deferral for two or more years, upon the request of the employee-occupants.</p>	<p>Vetoed: 9/28/08 <i>Veto message:</i> "Current law allows a child care facility in a State building to receive a rent discount if the facility shows a specific need for the discount. The Department of General Services (DGS) already has substantially discounted the rent for each child care facility located in State buildings to help ensure the viability of each facility. Requiring the State to provide free rent to only specific child care facilities, as this bill proposes, sets an inappropriate precedent to provide a permanent rent exemption, without the discretion of DGS."</p>
School Age		
AB 1526 (Committee on Budget)	<p>Would place on November ballot initiative to allow budgetary flexibility on expenditures related to Proposition 49, the After School Education and Safety Program Act of 2002, which makes continuous appropriations each fiscal year of up to \$550 million from the General Fund to the CDE.</p>	<p>Vetoed: 9/30/08 <i>Veto message:</i> "As the primary architect of Proposition 49, I have seen first-hand the countless benefits of after-school programs. In 2002, the voters overwhelmingly approved Proposition 49 to significantly expand access to after-school programs and this bill would contradict the will of the voters. The voters supported the \$550 million continuous appropriation that provides California's elementary and middle school children with a stable resource for tutoring, homework assistance, and educational enrichment activities, such as music, arts, and physical fitness, while providing working parents with peace of mind that their children are in a safe and nurturing environment."</p>
AB 2843 (Karnette)	<p>Amends After School Education and Safety (ASES) Program to authorize a program to include visual and performing arts rather than fine arts. Also would include foreign languages among the education enrichment elements offered by the Program.</p>	<p>Vetoed: 8/1/08 <i>Veto message:</i> "As one of the strongest proponents of After School Programs in California and being familiar with many across the state, I have never seen any of the programs denying the opportunity to provide foreign language activities in their educational enrichment component, particularly since they do not need any additional authority to do so. Therefore, providing a statutory authorization for that option is unnecessary."</p>

School Age (continued)		
SB 1674 (Torlackson)	Amends the After School Education and Safety Program Act of 2002 to: 1) allow programs to operate during weekend hours to be paid from a program's maximum or supplemental grant; and 2) require programs that subcontract to include funding for administrative and indirect costs.	Vetoed: 9/30/08 <i>Veto message:</i> "As the primary author of Proposition 49 that created the ASES Act, I am very proud of the good work that after school providers have done in serving kids over the years. "While providing students with educationally enriching activities during weekend hours is a worthy goal, this bill takes the program beyond the original scope of the ASES program. After school programs are intended to provide students with access to quality tutoring, homework assistance, and educational enrichment during non-school hours, when they are most at-risk of being involved in dangerous activities – during after school hours."
Miscellaneous		
AB 2467 (Brownley)	Amends Child Care and Development Services Act requiring certain information to be provided to the child's parent or guardian when a child transfers from a state preschool or infant/toddler program to a public school to permit certain other information deemed appropriate or helpful to a child's public school teacher by the Superintendent of Public Instruction to be included in the information transfer form. Information may, with the permission of the parent or guardian, be transferred to the pupil's elementary school. Parent or guardian may provide additional information relating to the child's strengths, weaknesses and unique needs of the pupil to be included with the preschool information being transferred.	Vetoed: 9/26/08 <i>Veto message:</i> "While I believe that it is beneficial to transfer Information from preschool and infant and toddler programs to elementary schools, this bill is unnecessary. Nothing under current law prohibits the transfer of specified information that is deemed beneficial to the pupil and the public school teacher. Furthermore, nothing in current law prohibits a parent or guardian from providing information that would support their child's learning environment or abilities."
SB 1298 (Simitian)	Requires CDE to establish processes for LEAs to issue, maintain and report information for child development and education programs using unique pupil identifiers established by the CA Longitudinal Pupil Achievement Data System. Requires LAO to convene staff working group to make recommendations for an overall structural design for the linked education data relating to governance of education data, and report recommendations to Legislature by June 1, 2009. Requires State CIO to convene group to create a strategic plan that provides an overall structural design for the linked education data system and deliver strategic plan to Legislature and Governor by September 1, 2009.	Chapter 561 Signed: 9/29/08