



**COUNTY OF LOS ANGELES
CHILD CARE PLANNING COMMITTEE AND
POLICY ROUNDTABLE FOR CHILD CARE AND DEVELOPMENT**

**Winners and Losers
A Report on the California State Budget and Legislation - First Session of 2015-16
Child Care and Development**

California State Budget 2015-16

Governor Jerry Brown signed the 2015-16 state budget package on June 24, 2015. The \$115 billion budget reduces debt and saves for rainy days while increasing spending on health care, education, in-home support services, workforce development, the judiciary, and drought resistance. A groundbreaking move is the state's first Earned Income Tax Credit intended to complement the federal program for providing assistance to the working poor.

Child Care and Development Budget Items

The budget for child care and development services signals another year of modest gains in recovery from the significant cuts experienced during the recession. Much of this success is attributed to the mantra for access, rates and quality led by the California Women's Legislative Caucus and advocates representing the field of early care and education, which shaped budget committee conversations followed by negotiations between the legislative leadership and the Governor. As such, the budget funds additional preschool spaces, across-the-board increases in reimbursement rates, and new investments in quality. Specifically, the approved budget provides \$2.8 billion (\$885 million in Proposition 98 and \$997 million in non-Proposition 98) for child care and development services. This represents an increase of \$423 million over the budget for 2014-15. In summary, the budget package for child care and development:

- Funds a total of 13,830 additional subsidized child care and preschool slots. Funding for the slots will provide: 5,830 full-day state preschool slots for local education agencies (LEAs) effective January 1, 2016; 1,200 non-LEA full-day preschool slots effective January 1, 2016; and 6,800 Alternative Payment Program child care slots effective July 1, 2015.
- Provides 2,500 part-day state preschool slots with priority to programs intending to increase access for children with exceptional needs.
- Raises the Standard Reimbursement Rate (SRR) for state contracted child care and development programs by five percent effective July 1, 2014.
- Provides for a five percent increase to the Standard Reimbursement Rate (SRR) for state preschool and other direct contracted child care and development programs. Budget also reflects a 1.02 percent Cost of Living Adjustment. The maximum SRR is not to exceed \$38.29 per day for general child care programs.
- Increases the SRR for part-day state preschool by an additional one percent to expand professional development activities for teachers and parent education. Full-day state preschool also receives a one percent increase for the part-day portion of the preschool rate.



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- Raises the maximum reimbursement ceiling by 4.5 percent for the Regional Market Rate (RMR) paid through vouchers to child care providers, including an increase for license-exempt providers from 60 to 65 percent of the licensed family child care home rate effective October 1, 2015.
- Provides a one-time grant of \$24.2 million General Fund to the Quality Rating and Improvement System (QRIS) consortia to provide training, technical assistance and resources to help infant and toddler programs meet a higher level of quality. No more than 20 percent of the funding may be allocated directly to child care providers. Each county participating in a QRIS consortia and in good standing will receive a minimum grant of \$25,000 with remaining funds distributed to the consortia based on their proportion of contracts with the CDE for infant and toddler programs. Funds may be encumbered until June 30, 2017.
- Increases inspections of licensed child care and development facilities – family child care homes and centers – to every three years beginning January 2017.

Budget Bills

AB 93 (Weber)	Budget Act of 2015 - includes child care and development items	Chapter 10 Approved by Governor: June 24, 2015
AB 104 (Committee on Budget)	Education Finance: Education Omnibus Trailer Bill	Chapter 13 Approved by Governor: June 24, 2015
SB 79 (Committee on Budget and Fiscal Review)	Human Services (TBL) - includes regulatory compliance of licensed child care facilities	Chapter 20 Approved by Governor: June 24, 2015
SB 97 (Committee on Budget and Fiscal Review)	Budget Act of 2015 Amendments - includes amendments to child care and development items	Chapter 11 Approved by Governor: June 24, 2015
SB 101 (Committee on Budget and Fiscal Review)	Amends Budget Act of 2015 - appropriations of funding for preschool programs based on need	Chapter 321 Approved by Governor: September 22, 2015

California State Legislature – First Session of 2014-15¹

Introduction

Legislators introduced 44 bills of interest to the child care and development community during the First Session of the State Legislative Session for 2015-16. Sixteen bills made it to the Governor's desk for his consideration, of which 12 were approved and four were vetoed. This section contains a brief summary of the bills that passed the legislature for the Governor's consideration and action. Approved bills take effect on January 1, 2015 unless otherwise noted.

Regulatory Compliance/Health and Safety

<p align="center">AB 74 (Calderon)</p>	<p>Would have required the Department of Social Services (CDSS) to conduct annual unannounced inspections of child care centers and family child care homes as of 1/1/19. Specified incremental steps to increasing the percent of facilities subject to annual unannounced inspections to no less than 30 percent of facilities and inspections of a licensed facility at least once every three years between 1/1/17 and 1/1/18 and then no less than 20 percent of facilities and inspections at least once every two years as of 1/1/18 to 1/1/19.</p>	<p align="center">Vetoed: September 30, 2015</p> <p>Message, in part: "Earlier this year, the 2015-16 Budget Act increased the frequency of inspections of licensed child care facilities to once every three years. Further increasing the frequency of these inspections may be a worthy goal, but the cost of this change should be considered in the budget process."</p>
<p align="center">AB 762 (Mullin)</p>	<p>Amends existing law stipulating that CDSS develop guidelines and procedures to authorize licensed child development centers with a toddler program to serve children between 18 months and three years of age beginning 1/1/16. Toddler program considered extension of the infant center or preschool license without the need for a separate license.</p>	<p align="center">Chapter 373 Approved by Governor: September 30, 2015</p>
<p align="center">AB 1207 (Lopez)</p>	<p>Bolsters training requirements pertaining to mandated child abuse reporting, including responsibilities for detection and the consequences for failing to report incidents of known or reasonably suspected child abuse or neglect, for child care and development programs. Requires administrators, providers and trainers to participate in renewal mandated reporter training every two years. Provisions of bill effective 1/1/18.</p>	<p align="center">Chapter 414 Approved by Governor: October 1, 2015</p>
<p align="center">AB 1387 (Chu)</p>	<p>Deletes the requirement that moneys collected from the imposition of certain penalties and deposited in the Child Health and Safety Fund be used for assisting families with the identification, transportation, and enrollment of children in another center or family child care home upon the revocation or suspension of the license of a center or family child care home. Clarifies process for formal reviews and appeal of civil penalties or deficiencies. Except as otherwise provided, a civil penalty assessment is not to exceed \$150 per day per violation.</p>	<p align="center">Chapter 486 Approved by Governor: October 4, 2015</p>

¹ To obtain additional information about any legislation, go to www.leginfo.ca.gov/bilinfo.htm.

SB 277 (Pan & Allen)	Eliminates the exemption from existing immunization requirements based upon personal beliefs for purposes of admitting a child into a private or public elementary or secondary school, child care center or family child care home. Pupils who submitted letter or affidavit on file prior to 1/1/16 at a school or child care and development program stating beliefs opposed immunization allowed to remain enrolled until pupil enrolls in next grade span. Allows for temporary exclusion from above-referenced programs if child exposed to a disease and documentation exists showing lack of proof of immunization until local health officer satisfied that child no longer at risk of contracting or transmitting disease. Family medical history added as circumstance for physician to not recommend immunization.	Chapter 35 Approved by Governor: June 30, 2015
SB 792 (Mendoza)	Beginning 9/1/16, prohibits a person from being employed or volunteering at child development center or a family child care home if he or she has not been immunized against influenza, pertussis, and measles. Program to maintain documentation of the required immunizations or exemptions from immunization in the employee's or volunteer's personnel file. Volunteer defined as nonemployee who provides care and supervision to children in care. Specifies circumstances under which a person would be exempt from the immunization requirement based on medical safety, current immunity or a written statement declining the influenza vaccination.	Chapter 807 Approved by Governor: October 11, 2015
Expansion of Child Care and Development Services		
AB 47 (McCarty)	Preschool for All Act of 2015 - Would have required, on or before June 30, 2018, that all eligible children who are not enrolled in transitional kindergarten have access to the state preschool program the year before they enter kindergarten, if their parents wish to enroll them, contingent upon the appropriation of sufficient funding in the annual Budget Act for this purpose.	Vetoed: October 9, 2015 Message, in part: "Last year's education omnibus trailer bill already codified the intent to make preschool and other full-day, full year early education and care opportunities available to all low-income children. The discussion on expanding state preschool, which takes into account rates paid to providers as well as access and availability for families, should be considered in the budget process as it is every year. A bill that sets an arbitrary deadline, contingent on a sufficient appropriation, is unnecessary."
Streamline of Administrative Processes and Eligibility for Subsidized Child Care and Development Services		
AB 271 (Oberholte)	Authorizes California Department of Education (CDE)-contracted programs, including Alternative Payment (AP) Programs and providers, to maintain any records electronically, in compliance of state and federal standards as determined by the CDE, regardless of whether the original documents were created in electronic format and to retain a case record using either electronic or other alternative storage technologies. In addition, authorizes AP Programs and providers to use a digital signature.	Chapter 476 Approved by Governor: October 4, 2015

AB 833 (Bonta)	Authorizes Alameda County to develop an individualized county child care subsidy plan as a pilot project until 1/1/2021. Plan to ensure that child care subsidies received by the County are used to address local needs, conditions, and priorities of working families in the community. The plan to be submitted to the local planning council and the Alameda County Board of Supervisors for approval; would require CDE/EESD to review and approve the plan and subsequent modifications. Prohibits county from changing the RMR survey results for the county.	Chapter 563 Approved by Governor: October 7, 2015
AB 982 (Eggman)	Expands the list of entities that can identify a child in need of child care and development services to include a local educational agency liaison for homeless children and youths, a Head Start program, or a transitional shelter.	Chapter 567 Approved by Governor: October 7, 2015
Miscellaneous		
AB 53 (Garcia)	Requires properly securing a child under two years of age in an appropriate rear facing child safety seat, unless the child weighs 40 or more pounds or is 40 or more inches in height, while the child is riding in a motor vehicle when transported by a parent, legal guardian or other driver.	Chapter 292 Approved by Governor: September 21, 2015
AB 433 (Chu)	Requires continuing to include a deceased child as a member of a qualified family for the month in which his/her death occurred, and the following month under the CalWORKs program. Prohibits imposing sanctions on parents during a defined period of grieving and requires the County to assist the family with access to mental health and other services.	Chapter 514 Approved by Governor: October 6, 2015
SB 358 (Jackson)	Prohibits an employer from paying any of its employees at wage rates less than those paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility. Prohibits an employer from disallowing an employee from disclosing their own wages, discussing the wages of others, inquiring about another employee's wages, or aiding or encouraging any other employee to exercise his or her rights under these provisions.	Chapter 546 Approved by Governor: October 6, 2015
SB 456 (Block)	Would have made threatening with a firearm at a school-sponsored event a misdemeanor or felony; definition of school is inclusive of preschool.	Vetoed: September 8, 2015 Message, in part: "While I'm sympathetic and utterly committed to ensuring maximum safety for [CA's] school children, the offensive conduct covered by this bill is already illegal."

<p>SB 548 (De León) (Co-author: Assembly Speaker Atkins)</p>	<p>Would have required the CDE to ensure that all family child care providers attend an in-person orientation training to include at least four hours of instruction in addition to training currently offered by resource and referral programs, which was intended to count towards satisfying pre-service or orientation training requirements of federal law. Training was to include information on minimal health and safety standards, child care subsidy program functions, occupational health and safety for family child care providers, the state's early learning foundations, resources, and more to be completed within three months of participating in a state-funded child care program. The CDE was to offer the orientation training either directly or through contracts. Was contingent upon a funding appropriation.</p>	<p style="text-align: center;">Vetoed October 11, 2015</p> <p>Message, in part: "...the bill prematurely anticipates what will be necessary to comply with the new federal Child Care and Development Block Grant Act of 2014.</p> <p>"California will need to be in compliance with an abundance of new requirements, not all of which are clear at this juncture. The [CDE] is currently working with stakeholders to update our state's plan, to be submitted by March 1, 2016, after further federal guidance is issued. Public input will be sought prior to the finalization of the plan.</p> <p>"As part of that work, I will direct the State Advisory Council on Early Learning and Care to work with the department and review how the state can best position itself to meet those requirements efficiently and effectively, including the delivery of any training."</p>
<p>SB 579 (Jackson)</p>	<p>Extends sick leave provisions to allow an employer to permit an employee to use sick leave to address a child care or school emergency, to attend activities at the child care or school or to attend to the preventive care of a child and would prohibit an employer from denying an employee the right to use sick leave or taking specific discriminatory action against an employee for using, or attempting to exercise the right to use, sick leave to address a child care or school emergency. Defines parent as parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in loco parentis to, a child.</p>	<p style="text-align: center;">Chapter 802 Approved by Governor October 11, 2015</p>

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