



AGENDA ITEM: 10
DATE OF MEETING: October 17, 2012
ACTION: _____
INFORMATION: X

**FIRST 5 CALIFORNIA LEGISLATIVE SUMMARY – BILLS OF INTEREST
2011- 2012 REGULAR SESSION**

BUDGET

AB 99 (Committee on Budget) California Children and Families Act: Use of Funds

Final Outcome: CHAPTERED #4

Latest Version: Chaptered: 3/24/2011

Summary: This bill establishes the Children and Families Health and Human Services Fund. The bill requires specified amounts of state and local children and families commission funds to be deposited in the fund for the 2011-12 fiscal year, as specified. Specifically, the bill transfers \$50 million, upon commission approval, from the State Commission and \$950 million from county commissions to the Children and Families Health and Human Services Fund to support state health and human services programs for children from birth through five years of age.

AB 1464 (Blumenfield) 2012-13 Budget

Final Outcome: CHAPTERED #21

Latest Version: Chaptered: 6/27/2012

Summary: This bill would make appropriations for support of state government for the 2012-13 fiscal year. This bill contains other related provisions.

SB 486 (Dutton) California Children and Families Program: Funding

Final Outcome: Failed Passage in Policy Committee

Latest Version: 2/17/2011

Location: 4/12/2011- Senate Health

Summary: This bill would, subject to voter approval, eliminate the funding allocations to various California Children and Families Trust Fund accounts. The bill would redirect all revenues received pursuant to Proposition 10 (California Children and Families Act) to the General Fund for purposes of funding the Healthy Families and Medi-Cal programs.

CHILD CARE

- AB 101 (John A. Pérez D) Family Child Care Providers: Bargaining Representative**
Final Outcome: VETOED: 10/4/2011
Latest Version: Enrolled: 9/20/2011
Summary: This bill would have promoted quality, access and stability in the child care system, as well as full communication between child care providers and the state by authorizing family child care providers to form a provider organization for purposes to negotiate with state agencies on specified matters.
Veto Message: Maintaining the quality and affordability of childcare is a very important goal. So too is making sure that working conditions are decent and fair for those who take care of our children. Balancing these objectives, however, as this bill attempts to do, is not easy or free from dispute. Today California, like the nation itself, is facing huge budget challenges. Given that reality, I am reluctant to embark on a program of this magnitude and potential cost.
- AB 419 (Mitchell) Care Facilities**
Final Outcome: Failed Passage in Fiscal Committee
Latest Version: Amended: 4/28/2011
Location: 5/27/2011- Assembly Appropriations Suspense File
Summary: This bill would increase the frequency of inspections of child care and other community care licensed facilities to help ensure basic health and safety for California's most vulnerable children. The bill would require, through the use of research based protocols that promotes efficiency, annual unannounced site visits to all licensed child care centers and biannual visits to family child care facilities. The bill also would increase the availability of technical assistance to child care providers.
- AB 1673 (Mitchell) Child Care: Eligibility**
Final Outcome: Failed Passage in Fiscal Committee
Latest Text: Amended: 4/9/2012
Location: 5/25/2012- Assembly Appropriations Suspense File
Summary: This bill would require that once a child of a migrant agricultural worker family is enrolled in a migrant child care and development program that the child be deemed eligible for these services for a period of 12 months unless the child no longer resides in the state or the child is deceased.
- AB 1820 (Block) Child Safety: Day Care Facilities: Choking Hazards**
Final Outcome: Failed Passage in Fiscal Committee
Latest Text: Amended: 5/1/2012

Location: 5/25/2012- Assembly Appropriations Suspense File

Summary: This bill would require a licensed child day care facility to prohibit the use or possession of choking hazards, including push pins, small toys, marbles, and other items in any area of the facility accessible to children six years of age or younger.

AB 2286

(Bonilla) Child Care: Reimbursement Rate Adjustment Factors

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Introduced: 2/24/2012

Location: 5/25/2012- Assembly Appropriations Suspense File

Summary: Existing law, the Child Care and Development Services Act, establishes a system of child care and development services for children up to 13 years of age, and requires the Superintendent of Public Instruction to implement a plan establishing assigned reimbursement rates, per unit of average daily enrollment, to be paid by the state to provider agencies for the provision of those services. Existing law also provides for an adjustment factor to be applied to units of average daily enrollment if a provider agency serves children who meet specified criteria. This bill would increase the adjustment factor for infants who are 0 to 18 months of age and are served in a child day care center and for toddlers who are 18 to 36 months of age and are served in a child day care center.

AB 2573

(Furutani) Family Child Care Providers: Bargaining Representative

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Amended: 3/29/2012

Location: 5/2/2012- Assembly Appropriations

Summary: This bill would authorize family child care providers to choose whether to be represented by a single provider organization that would be designated pursuant to a specified petition and election process overseen by the Public Employment Relations Board (Board) or a neutral 3rd party designated by the Board.

CHILDREN SERVICES

AB 823

(Dickinson) Children's Cabinet of California

Final Outcome: VETOED: 9/17/2012

Current Text: Enrolled: 9/10/2012

Summary: This bill, to the extent that sufficient federal or private funds are deposited with the state and appropriated by the Legislature, would have established the California Children's Coordinating Council to serve, until January 1, 2019, as an advisory body responsible for improving the collaboration among agencies that provide services to young children. The bill would have provided that the council be comprised of the Superintendent of Public Instruction, the Secretary of California Health and Human Services, the Chief Justice of California and the heads of various specified state agencies.

The bill would have required the council to provide recommendations to the Governor and the Legislature every odd-numbered year.

Veto Message: This bill establishes a "Children's Coordinating Council," consisting of members of government, to advise itself on how it can improve collaboration amongst itself when it comes to delivering services to the children of this state. For almost two years now, my administration has worked to eliminate unnecessary boards, commissions, advisory bodies, and reports, so that government is not so overloaded with the work of form over the work of function. I commend the author's heartfelt desire to improve the lot of all children in the state, but the creation of another Council is not the solution. If anything, it lulls us into the fallacy that forms can solve our problems. Instead, let's try to be honest and thoughtful about the good we can do without the statutory decree, not because of it.

EDUCATION

AB 1772 (Buchanan) Compulsory Kindergarten

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Amended: 4/11/2012

Location: 5/25/2012- Assembly Appropriations Suspense File

Summary: Under existing law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Existing law excludes a child under 6 years of age from the public schools, subject to specified exceptions. This bill, beginning with the 2014-15 school year, would require a child to complete one year of kindergarten before he or she may be admitted to the first grade, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 1853 (Bonilla) Teacher Credentialing: Recognition of Study in Transitional Kindergarten

Final Outcome: VETOED: 9/21/2012

Latest Text: Enrolled: 8/23/2012

Summary: This bill would have authorized the Commission on Teacher Credentialing (Commission) to convene a workgroup consisting of specified members to develop program standards for the issuance of a recognition of study in transitional kindergarten for holders of a multiple subject teaching credential who will be teaching pupils enrolled in transitional kindergarten. The bill would have authorized the Commission to work with the Superintendent of Public Instruction to gather and post, on an appropriate Internet Web site, best practices from school districts and schools on curriculum development and professional development relating to implementing and sustaining transitional kindergarten programs. The bill would have provided that the holder of a multiple subject teaching credential who has received a recognition of study in transitional kindergarten is not authorized to teach English learners and that a recognition of study in transitional kindergarten is not considered a type of authorization, cannot be used as a condition of employment, does not replace

subject matter competence requirements, and cannot be used in making employment decisions relating to reductions in employee positions.

Veto Message: I am returning Assembly Bill 1853 without my signature. This bill would require the Commission on Teacher Credentialing to create a Committee to do the preliminary work that would be required to create yet another teaching credential -- something we don't need.

AB 2203 (V. Manuel Pérez) Compulsory Education: Children 5 Years of Age

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Amended: 4/24/2012

Location: 5/25/2012- Assembly Appropriations Suspense File

Summary: This bill, commencing with the 2014-15 school year, would provide that a person from 5 to 18 years of age, inclusive, who is not exempt by law is subject to compulsory education, and would exclude children under 5 years of age from the public schools, except as specified. By increasing the duration of compulsory education provided by public schools, this bill would impose a state-mandated local program.

SB 30 (Simitian) Kindergarten: Age of Admission and Readiness

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Amended: 3/25/2011

Location: 8/17/2012- Assembly Appropriations

Summary: Existing law requires that a child be admitted to kindergarten at the beginning of a school year, or at any time later in the same year if the child will have his or her 5th birthday as specified. This bill would make technical, nonsubstantive changes to that provision.

SB 518 (Lowenthal) Pupil Data: California Longitudinal Pupil Achievement Data System Advisory Committee

Final Outcome: Failed Passage in Assembly

Latest Text: Amended: 4/12/2012

Location: 2/16/2012- Ordered to Inactive File

Summary: Existing law establishes the California Education Information System, which consists of the California Longitudinal Pupil Achievement Data System (CALPADS) and the California Longitudinal Teacher Integrated Data Education System. Existing law requires the California Department of Education to contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data. This bill would require the Superintendent of Public Instruction to establish a California Longitudinal Pupil Achievement Data System Advisory Committee to advise and provide recommendations to the Governor, the Superintendent, the State Board of Education, and the Legislature on matters relating to CALPADS. The bill would require the advisory committee to consist of 23 members and to be co-chaired by the president of the State Board and the Superintendent, or their respective designees. The bill would require the advisory committee to report

its recommendations regarding CALPADS to the Governor, the Legislature, the Superintendent, and the State Board by January 1, 2014.

SB 634

(Runner) Kindergarten: Transitional Kindergarten

Final Outcome: Failed Passage in Policy Committee

Latest Text: Amended: 4/12/2012

Location: 4/27/2012- Senate Education

Summary: This bill would prohibit a school district from offering a transitional kindergarten program unless the Department of Finance certifies that sufficient funds exist to initiate transitional kindergarten programs for all eligible children, including children of all socioeconomic statuses, English learners, and individuals with exceptional needs, without removing funding from existing state programs or services. The bill would additionally prohibit a school district from initiating a transitional kindergarten program if the district has a qualified or negative interim financial certification, as specified.

SB 885

(Simitian) Public Education Accountability: Longitudinal Education Data System

Final Outcome: VETOED: 9/26/2012

Latest Text: Enrolled: 8/30/2012

Summary: Existing law establishes a system of public education in this state. This system includes public elementary and secondary schools, which provide instruction to pupils from preschool through grade 12, as well as the institutions that comprise the 3 segments of higher education, which are the California Community Colleges, the California State University, and the University of California. This bill would have amended the expression of intent of the Legislature referenced above to state that the design and implementation of a high-quality, comprehensive, and longitudinal preschool through higher education (P-20) statewide data system should meet specified goals. The bill would have also authorized the State Board of Education, in addition to the entities referenced above, to enter into a joint powers agreement, rather than interagency agreements, to facilitate the implementation of the comprehensive longitudinal preschool through higher education (P-20) statewide data system referenced by the bill.

Veto Message: This bill is unnecessary because the majority of the entities impacted by this measure have already established an interagency agreement. Should these entities choose to form a joint powers agreement in the future, they do not need additional statutory authority to do so. Whether they should or not given the current fiscal constraints – I have my doubts.

SB 942

(Committee on Education) Education

Final Outcome: CHAPTERED #347

Latest Text: Chaptered: 9/26/2011

Summary: Existing law gives the Secretary for Education duties with respect to various child care and development, school, and education programs, including, among others, serving on advisory bodies, receiving reports, and

consulting on various matters. This bill eliminates the Secretary's duties with regard to specified programs, including, among others, the Child Care Facilities Revolving Fund, the Advisory Committee on Before and After School Programs, the Healthy Start Support Services for Children program, the California Longitudinal Teacher Integrated Data Education System, the Quality Education Investment Act of 2006, and the California Longitudinal Pupil Achievement Data System advisory board. The bill transfers certain of these duties to the President of the State Board of Education.

SR 32 (Price) Early Childhood Education

Final Outcome: ADOPTED 6/21/12

Latest Text: Enrolled: 6/21/2012

Summary: This bills resolved that the Senate proclaims the importance of early childhood education every year; and promote early childhood programs with appropriate and meaningful activities that will educate the people of California about the value of preschool and other early childhood education programs, and that the Senators encourage their constituents to enroll their children in such programs.

FAMILY SUPPORT

AB 1072 (Fuentes) Community Development: California Promise Neighborhoods Initiative

Final Outcome: Failed Passage in Fiscal Committee

Latest Text: Amended: 6/21/2012

Location: 8/25/2012- Senate Appropriations Suspense File

Summary: This bill would establish the California Promise Neighborhoods Initiative in the Office of Economic Development. It would require the office to establish 40 promise neighborhoods throughout the state, according to specified criteria, to maximize collective efforts within a community to improve the health, safety, education, and economic development of each neighborhood. It would require the office to use existing state resources and federal funds to implement these provisions, and authorize the office to accept financial support from other public or private sources for these purposes. The bill would require the office to work with the California Department of Education, the Employment Development Department, the California Children and Families Commission, the California Health and Human Services Agency, and others in implementing the bill.

HEALTH

AB 1494 (Committee on Budget) Healthy Families Program: Medi-Cal Transition: Expansion

Final Outcome: CHAPTERED #28

Latest Text: Chaptered: 6/27/2012

Summary: This bill provides for the transition of specified enrollees of the Healthy Families Program to the Medi-Cal program, to the extent that those individuals are otherwise eligible, no sooner than January 1, 2013. The bill provides that the transition take place in 4 phases for individuals enrolled in either a Healthy Families Program plan that is also a Medi-Cal managed care plan (Phase 1) or enrolled in a Healthy Families Program plan that is a subcontractor of a Medi-Cal managed care plan or other specified plans (Phase 2 and Phase 3), or for individuals residing in a county that is not a Medi-Cal managed care county (Phase 4). The bill requires the department to exercise certain options under federal law to provide benefits to optional targeted low-income children and seek appropriate federal approvals and state plan amendments, in order to implement the Healthy Families Program to Medi-Cal program transition and expansion provided for in the bill.

AB 2109 (Pan) Immunization Exemption

Final Outcome: CHAPTERED #821

Latest Text: Chaptered: 9/30/2012

Summary: Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her first admission to that institution he or she has been fully immunized against various diseases. This bill would instead require this letter or affidavit to document which required immunizations have been given and which have not been given on the basis that they are contrary to the parent or guardian's or other specified person's beliefs. The bill would require, on and after January 1, 2014, the letter or affidavit to be accompanied by a form prescribed by the State Department of Public Health that includes a signed attestation from a health care practitioner that indicates the health care practitioner provided the parent or guardian with information regarding the benefits and risks of the immunization and the health risks of specified communicable diseases.

SPECIAL NEEDS

AB 171 (Beall) Pervasive Developmental Disorder or Autism

Final Outcome: Failed Passage in Policy Committee

Latest Version: Amended: 1/23/2012

Location: 6/27/2012- Senate Health

Summary: This bill would require health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders. The bill would, however, provide that no benefits are required to be provided by a health benefit plan offered through the California Health Benefit Exchange that exceed the essential health benefits required under federal law. The bill would prohibit coverage from being denied for specified reasons.

- SB 166 (Steinberg) Health Care Coverage: Autism Spectrum Disorders**
Final Outcome: Failed Passage in Policy Committee
Latest Text: Amended: 1/4/2012
Location: 1/6/2012- Senate Health Committee
Summary: This bill would exempt certain child-only health care service plan contracts, administered by counties or other specified local entities, from the requirement to provide coverage for behavioral health treatment for pervasive development disorder or autism.
- SB 946 (Steinberg) Health Care Coverage: Mental Illness: Pervasive Developmental Disorder or Autism**
Final Outcome: CHAPTERED #650
Latest Text: Chaptered: 10/9/2011
Summary: Existing law requires health care service plan contracts and health insurance policies to provide benefits for specified conditions, including certain mental health conditions. This bill, effective July 1, 2012, requires those health care service plan contracts and health insurance policies to provide coverage for behavioral health treatment for pervasive developmental disorder or autism. The bill provides, however, that no benefits are required to be provided that exceed the essential health benefits that will be required under specified federal law.
- SB 1050 (Alquist) Autism Screening: Pilot Program**
Final Outcome: VETOED: 9/19/2012
Latest Text: Enrolled: 8/23/2012
Summary: This bill would declare the intent of the Legislature to enact legislation to establish a pilot program to promote the use of technology and telehealth systems for the screening, diagnosis, and evaluation of children with autism spectrum disorders. The pilot program would be established by an academic institution, in collaboration with school districts and regional centers, and would be funded through private-public partnerships, as specified.
Veto Message: Last year I signed AB 415 (Logue), the Telehealth Advancement Act of 2011, to update our statutes on the use of telehealth. As we work to improve and modernize our health care system, we can expect telehealth to play an increasingly prominent role in rural and urban areas, for many diseases and conditions. Such advancements and collaboration are occurring now, and a privately funded, disease-specific task force set forth in statute does not appear to be warranted.

Overview of State's Child Care and Development System

LEGISLATIVE ANALYST'S OFFICE

Presented to:
Assembly Select Committee on
High Quality Early Childhood Education

Hon. Susan Bonilla, Chair





State Has Two Systems for Delivering Child Care and Development (CCD) Services

Two Child Care and Development Systems		
	Voucher-Based System	Direct Contractor System
Description	The California Department of Education (CDE) allocates funding to local Alternative Payment (AP) agencies. ^a The AP agencies issue vouchers to families, who in turn choose their own child care providers.	The CDE contracts directly with child care providers for a certain number of slots. Eligible families enroll in these subsidized slots.
Programs and Estimated Number of Slots	<ul style="list-style-type: none"> • CalWORKs Stage 1 (46,000) • CalWORKs Stage 2 (65,000) • CalWORKs Stage 3 (25,000) • AP Program (29,000) 	<ul style="list-style-type: none"> • State preschool (145,000) • General Child Care (47,000) • Migrant child care program (3,000) • Severely Handicapped Program (200)
Types of Providers	<ul style="list-style-type: none"> • Licensed centers and family child care homes (FCCHs) • Relatives or friends providing child care without a license ("license-exempt"). 	<ul style="list-style-type: none"> • Licensed centers and FCCHs
Standards	Licensed providers must meet basic health and safety standards and adhere to Title 22 regulations.	Must meet health and safety standards and adhere to more rigorous Title 5 regulations.
Payment Rates	<ul style="list-style-type: none"> • Maximum voucher amounts are based on Regional Market Rates (RMR) and differ by county and age of child, with higher rates for infant/toddler care. • Current maximum rates for licensed providers are set at the 85th percentile of RMR, based on 2005 data. License-exempt providers can earn up to 60 percent of the region's licensed rate. • Maximum monthly voucher rates for a preschool-age child in full-time licensed care range across counties from about \$650 to about \$1,110. 	<ul style="list-style-type: none"> • Contractors are paid at a daily Standard Reimbursement Rate (SRR) for each eligible child they serve. • The SRR is the same in all regions of the state, with additional funds provided to centers that care for infants/toddlers and children with special needs. • The monthly rate for a preschool-age child in full-time care is about \$715.

^a CalWORKs Stage 1 child care is funded through the Department of Social Services, not CDE, and is administered locally by county welfare departments (CWDs). (Roughly half of CWDs in the state subcontract with AP agencies to administer Stage 1 child care services.)



Overview of Recent CCD Budgets

Child Care and Development Budget Summary					
<i>(In Millions)</i>					
	2008-09	2009-10	2010-11 ^a	2011-12 ^b	2012-13
CalWORKs Child Care					
Stage 1	\$616	\$547	\$486	\$429	\$409
Stage 2	505	476	458	442	419
Stage 3	418	412	288	152	148
Non-CalWORKs Child Care					
General Child Care	780	797	785	675	465 ^c
Alternative Payment Program	257	275	271	213	174
Other child care	72	46	28	30	28
Subtotals, Child Care	(\$2,648)	(\$2,554)	(\$2,315)	(\$1,941)	(\$1,643)
State Preschool	\$429	\$439	\$397	\$368	\$481 ^c
Support Programs	106	109	100	76	76
Totals	\$3,183	\$3,101	\$2,812	\$2,385	\$2,199

^a Reflects funding shifts across programs for Stage 3 restoration. Also includes \$83 million from local reserves.

^b Includes midyear trigger reductions totaling \$23 million across all programs. Also includes \$8 million midyear augmentation to Stage 3.

^c Funds \$164 million for preschool slots within part-day State Preschool Program rather than General Child Care Program.



The CCD System Is Supported by a Combination of State and Federal Funds. State funds include both Proposition 98 and non-Proposition 98 General Fund dollars. Federal grants include the Child Care and Development Fund and Temporary Assistance for Needy Families.



Notable CCD Reductions in Recent Years



Since 2008-09, the State's CCD System Has Experienced Notable Reductions.

- Overall funding for CCD programs has decreased by \$985 million (31 percent).
- About one-quarter of slots have been eliminated (110,000 slots).



Other Policy Changes Over This Period Have Included:

- Instituting work exemptions (and not offering child care) for California Work Opportunity and Responsibility to Kids (CalWORKs) participants with very young children.
- Reducing maximum reimbursement rates for license-exempt providers from 90 percent to 60 percent of licensed rates.
- Lowering income eligibility thresholds from 75 percent to 70 percent of the state median income.
- Eliminating the "Latchkey" after school program.
- Reducing administrative and support allowances for Alternative Payment agencies from 19 percent to 17.5 percent of total contract amounts.
- Capping reserve balances for Title 5 centers at 5 percent of total contract amounts.
- Eliminating funding for the state's Centralized Eligibility List.
- Reducing or eliminating several of the state's quality improvement projects.
- Implementing parent fees for part-day, part-year state preschool programs.



Notable CCD Reductions in Recent Years

(Continued)



The 2012-13 Budget Package Included a Share of These Reductions (\$185 Million and Roughly 27,000 Slots). Notable actions included:

- An 8.7 percent across-the-board reduction for all CCD programs other than CalWORKs Stage 1 and Stage 2. (Gubernatorial veto extended reduction to part-day state preschool program.)
- An 18 percent across-the-board reduction for the Alternative Payment Program. (Gubernatorial veto increased from 8.7 percent.)
- Reduced nutrition funding for some private child care centers and homes. (Gubernatorial veto totaling \$10 million. Nutrition reduction not included in overall CCD funding totals listed throughout this handout.)