



Legislative Update on Child Development

September 4, 2015
(Number 24)

End of Session

All active bills are being heard by the floors of each house and must pass both houses by the end of session on September 11 or they become two-year bills. The Governor will then have 30 days to sign or veto all legislation sent to him. The next *Update* will be produced once we know the final disposition of child care bills by the Legislature (perhaps a day or two after September 11).

Amended Bills

Bills amended since the last *Update* are indicated by a * on either side of the bill and author, like * **AB 47 • McCarty** *.

2015 Legislation

* **AB 47 • McCarty** *

Preschool Funding

This bill would require, beginning January 1, 2017 and contingent upon sufficient funding provided in the state budget, all children in families below 75% of the state median income not served by transitional kindergarten or Head Start to have access to the State Preschool program the year before they enter kindergarten.

Amended 9/4/15: This amendment would require, beginning June 30, 2018 and contingent upon sufficient funding, all eligible children not enrolled in transitional kindergarten to have access to State Preschool.

Consultant: Bryan Singh (916) 319-2007

Status: Senate Floor

* **AB 74 • Calderon** *

Community Care Licensing: Visits

This bill would require, beginning July 1, 2018, licensed community care facilities (including child care centers and family child care homes, but not foster family homes) to receive an annual unannounced visit instead of a visit at least once every five years and more frequent visits under certain circumstances. It would delete the increase of random inspections by 10% if the number of citations in a year increases by 10%. The bill would require foster family homes to be subject to announced inspections, random unannounced inspections of 20% of homes, and unannounced inspections of facilities in response to a complaint, a plan of correction, or other circumstance of concern. It would require visits to 30% of licensed facilities not subject to annual inspections by July 1, 2016, and require visits to 40% of those licensed facilities by July 1, 2017.

Amended 8/31/15 & 9/2/15: These amendments would delete the previous provisions and instead would require annual unannounced inspections of child care centers and family child care homes beginning January 1, 2019. They would require child care centers and family child care homes to be visited once every two years between January 1, 2018 and January 1, 2019 and visits to 20% of other centers and homes not subject to the biannual inspections.

Consultant: Kelsy Castillo (916) 319-2057

Status: Senate Floor

AB 128 • Budget

Budget: Education Finance

This bill would extend the individualized county child care subsidy plan pilot program

in the County of San Mateo indefinitely. Contains other provisions and technical changes to the budget.

Last amended: 8/25/15

Consultant: (916) 319-2099

Status: Senate Floor

AB 271 • Obernolte

Alternative Payment: Electronic Records

This bill would allow Alternative Payment Programs to maintain records electronically even if the original records were not created electronically. It would require conversion of paper records to electronic records and storage of electronic records to comply with minimum standards for trustworthy electronic record preservation. The bill would require electronic records and signatures to meet state and federal standards.

Sponsor: California Alternative Payment Program Association (916) 567-6797

Last amended: 5/28/15

Consultant: Justin Hyer (916) 319-2033

Status: GOVERNOR'S DESK

AB 302 • Cristina Garcia

Parenting Pupils: Lactation

This bill would require schools with a lactating pupil to provide reasonable accommodation on campus including access to a private and secure room with a power source to express milk or breastfeed an infant, a place to safely store expressed milk, and permission to bring a breast pump on campus. It would prohibit students from incurring an academic penalty for using such accommodations.

Sponsors: California Latinas for Reproductive Justice (213) 270-5258, American Civil Liberties Union (916) 442-1036

Last amended: 7/14/15

Consultant: Ashley Medina (916) 319-2058

Status: GOVERNOR'S DESK

AB 762 • Mullin

Toddler Component Expansion

This bill would allow toddler programs to serve children up to 3 years of age (instead of up to 30 months).

Last amended: 8/18/15

Consultant: Miriam Farouk (916) 319-2022

Status: GOVERNOR'S DESK

* **AB 833 • Bonta** *

Alameda County Pilot Project

This bill would allow the County of Alameda to develop and implement an individualized county child care subsidy plan approved by the local planning council and the Alameda County Board of Supervisors that may modify state requirements for eligibility, fees, and reimbursement rates. It would require the Early Education and Support Division to review and approve or disapprove the plan and any changes to the plan within 30 days. The bill would require the county to demonstrate an increase in the child days of enrollment at the end of the first year.

Sponsor: Alameda County Early Care and Education Planning Council (510) 208-9675

Amended 9/4/15: Technical.

Consultant: Jacqueline Orpilla (916) 319-2018

Status: Senate Floor

AB 982 • Eggman

Child Development: Homeless Eligibility

This bill would allow a local educational agency liaison for homeless children, a Head Start program, or a transitional shelter to identify the need of homeless children for

services.

Sponsor: National Association for the Education of Homeless Children and Youth (866) 862-2562

Last amended: 7/2/15

Consultant: Laura Ayala (916) 319-2013

Status: GOVERNOR'S DESK

* **AB 1207 • López** *

Child Care: Child Abuse Reporting

This bill would require the Department of Social Service to develop and disseminate information on the detection and reporting of child abuse to child care providers and provide statewide online instruction on child abuse for child care providers and, by January 1, 2017, require providers to complete the instruction prior to licensure or within 90 days of employment.

Sponsor: Child Care Law Center (415) 558-8005

Amended 8/31/15 & 9/4/15: These amendments would require the guidance and instruction to be completed by January 1, 2018 and would require providers to complete the instruction after January 1, 2018. They would require providers to complete the instruction every two years.

Consultant: Kristi Lopez (916) 319-2039

Status: Senate Floor

* **AB 1387 • Chu** *

Child Care Licensing: Penalties

This bill would clarify the complaint process for residential care facilities for the elderly. It would require citations imposing higher penalties for death, physical abuse or serious bodily injury to be approved by the program administrator of the Community Care Licensing Division instead of the Director of the Department of Social Services. The bill would have a written request for formal review of serious citations directly to the deputy director of the Community Care Licensing Division and not to a regional manager or the program administrator. It would establish processes to appeal other civil penalties and formal reviews of a finding of deficiency. The bill would eliminate the use of funds from licensing penalties for finding alternative care for children when a center or home license is suspended or revoked.

Amended 8/31/15 & 9/4/15: Technical.

Consultant: Daphne Hunt (916) 319-2089

Status: Senate Floor

SB 103 • Budget & Fiscal Review

Budget: Education Finance

This bill would extend the individualized county child care subsidy plan pilot program in the County of San Mateo indefinitely. Contains other provisions and technical changes to the budget.

Last amended: 8/25/15

Consultant: (916) 651-4103

Status: Assembly Floor

SB 110 • Fuller

Threats: Schools

This bill would make it a misdemeanor or felony to make willful threats of unlawful violence against another person with the prospect of immediate execution at a state preschool or public or private school, including by an electronic act, that creates a disruption at school.

Sponsor: Bakersfield Police Department (661) 327-7111

Last amended: 8/17/15

Consultant: Maddie Dunlap (916) 651-4016

Status: GOVERNOR'S DESK

SB 456 • Block

Threats: Discharge of Firearm at School

This bill would make it a misdemeanor or felony to make willful threats of discharging a firearm with the prospect of immediate execution at a state preschool or public or private school during a time that school or a school-sponsored event is taking place.

Last amended: 7/16/15

Consultant: Kevin Powers (916) 651-4039

Status: GOVERNOR'S DESK

*** SB 548 • de León ***

Family Child Care: Representation

This bill would allow family child care providers to form, join, and participate in provider organizations and would allow them to elect a provider organization as the exclusive representative for family child care providers. It would establish the scope of representation and require state agencies to bargain in good faith with the representative. The bill would allow agreements to be codified in memoranda of understanding that would be binding on state agencies. It would allow the provider organization to collect dues as deductions from subsidy payments. The bill would require a report of best practices in engaging families in family child care settings by January 1, 2017. It would establish a Partnership on Child Care Training, Education, and Quality Improvement made up of representatives of the state and the provider organization to identify gaps in training and improve quality in family child care homes. The bill would require the joint committee to make recommendations annually and to address barriers for training and access to higher education for family child care providers.

Sponsor: SEIU State Council (916) 442-3838

Amended 9/4/15: This amendment would delete the previous provisions and instead require the State Department of Education to ensure that all family care providers attend an in-person orientation training (including coverage of minimum health and safety standards), subject to funding provided for that purpose. It would require the State Department of Social Services and State Department of Education to provide contact information to provider organizations within 30 days of a request, at the expense of the provider organizations.

Consultant: Jennifer Troia (916) 651-4170

Status: Assembly Human Services

SB 579 • Jackson

Sick Leave: Child Care/School Emergency

This bill would allow an employee, as part of the time allowed to participate in school activities, to find, enroll, or reenroll a child in school or day care or to address a child care or school emergency. It would require an employer to allow an employee to use sick leave to attend to preventative care of a child, parent, spouse, or domestic partner and would prohibit discriminatory action against the employee for using or attempting to use sick leave for these purposes.

Sponsor: Child Care Law Center (415) 558-8005, Legal Aid Society – Employment Law Center (415) 864-8848

Last amended: 7/16/15

Consultant: Chris Reeve (916) 651-4019

Status: GOVERNOR'S DESK

*** SB 792 • Mendoza ***

Child Care Programs: Staff Immunizations

This bill would require employees of child care centers and family child care homes, beginning September 1, 2016, to be immunized against measles, pertussis, and influenza. It

would allow employees to refuse the vaccination for influenza. The bill would require employees of child care centers (in addition to family child care homes) to show evidence of being clear of tuberculosis.

Sponsor: Health Officers Association of California (916) 441-7405

Amended 9/4/15: This amendment would require volunteers to meet the immunization requirements as well. It would require centers and homes to maintain records of staff immunizations.

Consultant: Dorian Almaraz (916) 651-4032

Status: Assembly Floor

Budget Bills

AB 93 • Weber • 2015-16 Budget • Chapter 10

SB 97 • Budget and Fiscal Review • 2015-16 Budget • Chapter 11

New Laws

SB 79 • Budget & Fiscal Review • Human Services Budget Trailer • Chapter 20

SB 277 • Pan • Vaccinations: Personal Belief Exemption • Chapter 35

Inactive Bills

AB 106 • Budget • Human Services Budget Trailer • Dropped

AB 188 • Cristina Garcia • Alternative Payment: Eligibility • Two-year bill

AB 233 • López • Child Care Annual Eligibility • Two-year bill

AB 282 • Eggman • Corded Window Coverings • Two-year bill

AB 427 • Weber • Child Care Programs: Military Eligibility • Two-year bill

AB 492 • Gonzalez • CalWORKs: Diapers for Child Care • Two-year bill

AB 589 • López • Online Child Care Job Posting • Two-year bill

AB 598 • Rendon • Family Child Care Education Networks • Two-year bill

AB 648 • Low • Virtual Dental Home • Child care provisions deleted

AB 713 • Weber • Mandatory Kindergarten • Two-year bill

AB 743 • Eggman • CalWORKs Education and Training • Child care provisions deleted

AB 765 • Ridley-Thomas • Standard Reimbursement Rate • Two-year bill

AB 891 • Campos • After School Programs Priority • After school provisions deleted

AB 1114 • Bonilla • Kindergarten Evaluation • Provisions deleted

AB 1133 • Achadjian • Mental Health Intervention and Prevention • Two-year bill

AB 1161 • Olsen • Privately Funded Preschool Tax Credit • Two-year bill

AB 1314 • Thurmond • Early Care and Education Programs • Spot bill

AB 1467 • Bloom • Community Care Facilities: Penalties • Two-year bill

SB 94 • Budget & Fiscal Review • Eligibility Priority Trailer • Two-year bill

SB 114 • Liu • Education Facilities Bond • Two-year bill

SB 212 • Mendoza • Drug Trafficking Near Preschools • Child care provisions deleted

SB 268 • Nguyen • State Dependent Care Tax Credit • Two-year bill

SB 311 • Beall • Alum Rock Pilot Project • Two-year bill

SB 401 • Nguyen • Child Care Centers: Office Buildings • Two-year bill

SB 472 • Cannella • State Dependent Care Tax Credit • Spot bill

SB 567 • Liu • Child Care: Continuity of Services • Two-year bill

SB 645 • Hancock • After School Programs: Increased Funding • Two-year bill

SB 670 • Jackson • Employer Child Care Credits • Two-year bill

SB 749 • Morrell • Trustline Registry • Provisions deleted