

Date of Hearing: April 11, 2018

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2960 (Thurmond) – As Amended April 5, 2018

[Note: This bill is doubled referred to the Assembly Human Services Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: Child care and development services: online portal

SUMMARY: Expresses findings and declarations regarding the importance of child care and development services, and requires the California Department of Education (CDE) to develop a comprehensive child care and development online portal to assist families in finding care and linking providers with state agencies. Specifically, **this bill:**

- 1) Expresses findings and declarations of all of the following:
 - a) The disparity in educational outcomes between pupil populations with regard to test scores, graduation rates, and college readiness is one of the most serious challenges facing our public education system.
 - b) Access to high quality, affordable child care and development services is essential to prepare California's children to succeed in school and in life and to allow families to work and contribute to the state's economy with the assurance that their children are safe, well cared for, and learning.
 - c) Expanded learning opportunities are also essential for children's safety and to ensure that academic gains made during the schoolday are retained. With 80 percent of waking hours for schoolage children spent outside of the classroom, quality and affordable expanded learning experiences after school and in the summer are essential strategies for equalizing pupil outcomes. Families also need care beyond the schoolday in order to work.
 - d) California's current child care and development services encompasses a patchwork of programs with distinct but overlapping purposes and designs, that are often funded by and accountable to multiple uncoordinated agencies at the county, state, and federal levels. These include home visits and special education programs; school readiness programs such as California State Preschool, Head Start and Early Head Start, and transitional kindergarten; programs designed to support working parents, such as general child care and development and voucher-based alternative payment programs, including CalWORKs; and after school programs such as the After School Education and Safety Program and the 21st Century Community Learning Centers program.
 - e) Eligible families in California struggle to make sense of the confusing system and face administrative and practical barriers to accessing services, including complex enrollment processes and inadequate information about options in their communities.
 - f) Counties frequently send child care and development services funding back to the state, in part because programs struggle to connect with eligible families, despite having an unmet need for child care and development services.

- g) Variation in quality standards for subsidized programs means that children of similar age and need receive very different learning opportunities. Families need information about program quality to make an informed decision about where to enroll their children.
 - h) Although California collects, or requires counties and programs to collect, information about the supply of licensed child care slots and enrollment in state programs, this information is often not easily accessible for parents.
- 2) Requires the SPI, by June 30, 2019, to submit a report to the appropriate committees of the Legislature detailing the current landscape of programs that provide child care and development services in California, existing information infrastructure related to these programs, and a comprehensive plan for developing a portal that links programs together for parents and providers. The report shall include changes that need to be implemented within individual programs and information systems to allow for seamless integration into the single state portal.
 - 3) Authorizes the SPI to contract with an outside entity for purposes of completing the report specified in (2) above.
 - 4) Repeals the reporting requirement in (2) above as of June 30, 2023.
 - 5) Requires the Superintendent of Public Instruction (SPI) by June 30, 2021 to develop, and post on the department's website, an online portal for California's comprehensive child care and development services for use by the general public.
 - 6) Requires the online portal to accomplish all of the following:
 - a) Assist families in gaining access to information about child care and development services, including location of services, availability of slots, and quality indicators for individual programs.
 - b) Allow families to do all of the following:
 - i. Learn about eligibility for local, state, and federally supported subsidies and programs.
 - ii. Apply for subsidies through a single, uniform application.
 - iii. Enroll on a waiting list for programs where slots are not readily available.
 - iv. Connect with local child care resource and referral agencies for additional assistance in selecting and accessing care.
 - c) Allow child care and development service providers to do all of the following:
 - a) Connect with families in the community.
 - b) Share enrollment and licensing information more easily with state agencies.

- c) Find and access professional development opportunities.
- 7) Requires the SPI, in the development of the portal, to:
- a) Consult with state and local stakeholders.
 - b) Coordinate with existing information infrastructure at the state and local level.
 - c) Take into consideration the full spectrum of programs that serve children and their families.
- 8) Authorizes the Superintendent to contract with an outside entity for purposes of developing the information infrastructure to support the portal.

EXISTING LAW:

- 1) Establishes the Child Care and Development Services Act to provide child care and development services as part of a coordinated, comprehensive, and cost-effective system serving children from birth to 13 years old and their parents, and including a full range of supervision, health, and support services through full- and part-time programs. (EDC 8200 et seq.)
- 2) Defines “child care and development programs” as those programs that offer a full range of services for children from infancy through 13 years of age, for any part of a day, by a public or private agency in centers and family child care homes. These programs include, but are not limited to, all of the following: (EDC 8208)
- a) General child care and development
 - b) Migrant child care and development
 - c) Child care provided by the California School Age Families Education Program
 - d) California state preschool program
 - e) Resource and referral
 - f) Child care and development services for children with exceptional needs
 - g) Family child care home education network
 - h) Alternative payment
 - i) Schoolage community child care
- 3) States the intent of the Legislature that all families have access to child care and development services, through resource and referral where appropriate, and regardless of demographic background or special needs, and that families are provided the opportunity to attain financial stability through employment, while maximizing growth and development of their children, and enhancing their parenting skills through participation in child care and development programs. (EDC 8202)

- 4) Appropriate funds annually for allocation to child care and development resource and referral (R&R) agencies operated by public or private nonprofit entities. Specifies that R&R programs serve a defined geographic area and must provide the following services: (EC 8210 - 8212).
 - a) Identification of the full range of existing child care services and the development, maintenance, and quarterly updating of a resource file, including information by type of program, hours of service, ages of children served, fees and eligibility for services, and significant program information.
 - b) A referral process which responds to parental need for information, makes referrals to child care facilities, and conducts outreach to parents through a toll-free line, conveniently located office space, referrals in languages spoken in the community, and publicizing of services through all available media sources or other methods.
 - c) Maintenance of ongoing documentation of requests for service through the internal referral process.
 - d) Provision of technical assistance to existing and potential providers of all types of child care services.
 - e) Provision of a child care navigator to support children in foster care.
- 5) Requires the CDE to coordinate with the State Department of Social Services (DSS), the California Children and Families Commission, and other stakeholders to develop the Child Care and Development Fund (CCDF) Plan and submit to the federal government for approval (EC 8206.1).
- 6) Requires, as a condition of receiving federal Child Care and Development Funds, California to maintain a consumer education website with provider-specific information, including, if available, quality information through a Quality Rating and Improvement System (QRIS) or other transparent system of quality indicators. Also requires the inclusion of the following information:
 - a) Provider-specific reports and results from child care monitoring inspections in a consumer-friendly and easily accessible format.
 - b) Provider-specific consumer education statement that includes a summary of the state's health and safety and licensing policies.
 - c) Annual number of deaths, serious injuries, and instances of substantiated child abuse that occurred in all CCDF-eligible child care settings. (The Child Care Development Block Grant (CCDBG) Reauthorization Act of 2014)

FISCAL EFFECT: Unknown

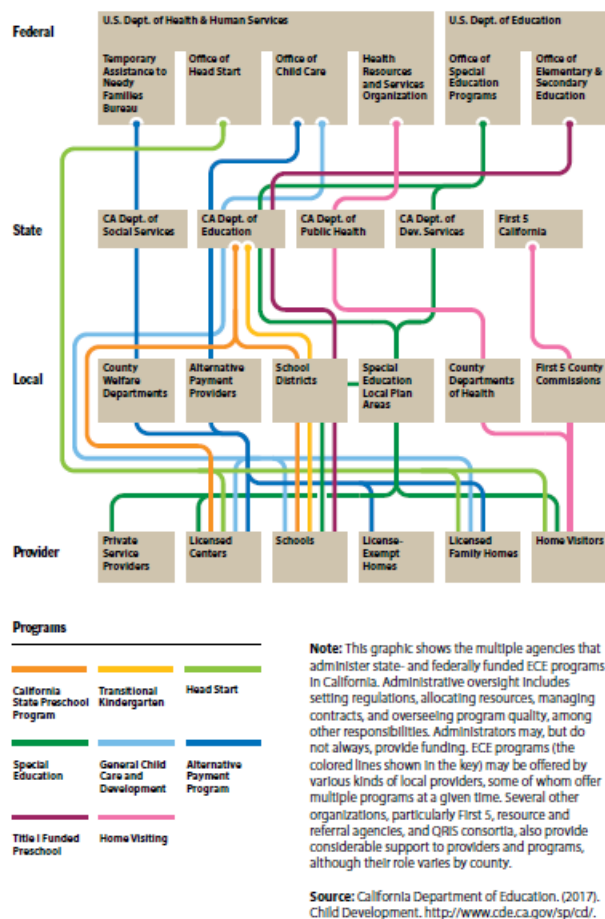
COMMENTS: *Need for the bill.* According to the author, "The current child care and development system is complicated and difficult for parents and providers to navigate. Given the patchwork of existing resources and services and a lack of coordination amongst publicly funded programs, it is difficult for parents to find care. In addition, duplication of administration

and reporting efforts, and inefficiencies in linking eligible children with providers can result in providers closing their doors.”

California’s highly complex early care and education (ECE) system. A recent report by the Learning Policy Institute, “Understanding California’s Early Care and Education System” includes a graphic that displays the highly complex nature of ECE system:

Figure 2

Many Agencies Control California’s ECE Programs



As the graphic above shows, the system is funded by numerous funding streams at the federal, state, county, and local level. Each of these has specific funding and operational requirements as well as varying accountability and reporting requirements.

The state and/or federally funded early care and education programs serving children and families in California, include but are not limited to the following:

- General Child Care and Development Programs include center-based or family child care home care, provide part or full-time care for children from 0-5 years and out of school care for school age children up to age 13 from income eligible families who have a need for care.

- Alternative Payment (AP) Programs provide voucher-based child care subsidies to low-income parents to access child care through a wide range of providers. Includes vouchers offered through California's state welfare program, California Work Opportunity and Responsibility to Kids (CalWORKs), as well as programs specifically for migrant children.
- California State Preschool Program (CSPP) provides center-based preschool for three and four year old children from income eligible families.
- Head Start and Early Head Start are federally funded preschool and child development programs serving children from families with incomes below the federal poverty level, and offer education, child care, extensive family engagement, and wraparound services.
- Transitional Kindergarten (TK) is a school-based program for children just below the age cut-off for kindergarten and is not based on income eligibility.

Funding for child care and development programs fluctuates significantly. According to the Learning Policy Institute report, from 2006 to 2013, publicly funded child care programs were cut by over \$1 billion, resulting in a loss of approximately 110,000 child care slots or 25 percent of the system's capacity between 2008-09 and 2012-13. During this period, reimbursement rates were static and did not keep pace with inflation or cost of living increases.

In recent years state spending on child care and development programs has approached pre-recession levels. In 2014 the Legislature provided more than \$450 million for over 16,300 new child care slots, increased reimbursement rates and made investments in quality improvement efforts. In 2016 the Legislature invested \$137 million to raise reimbursement rates and to create 8,877 new full-day preschool slots to be added over a four-year span.

According to the Legislative Analyst's Office, total funding for child care and development programs from both state and federal sources was \$3.98 billion in 2017-18. The Governor's 2018-19 budget proposes total expenditures of \$4.39 billion.

Child care and development program capacity is insufficient to serve all eligible children and families. Collectively these programs serve an estimated 500,000 children each year. It is difficult to gain an accurate count of the number of children served for a number of reasons. Children enter and leave programs throughout the year and due to a lack of a unique child identifier, these children may be counted multiple times. In addition, many children receive service from multiple programs simultaneously for different parts of the day and thus may again be counted more than once.

In addition, due to a lack of a statewide eligibility database, it is difficult to identify the total number of children and families eligible for care or the number of children and families currently waiting for care. According to the LPI report, in 2015-16 approximately 963,000 children under the age of five were eligible for enrollment in a publicly funded child care and development program based on their parents' income and work requirements. However, only 33 percent of these children were served in a state or federal program that year, and many were enrolled in programs for a few hours each day. An estimated 650,000 children in families at or near the poverty level do not have access to publicly funded programs. This unmet need is particularly acute for infants and toddlers. Only an estimated 14 percent of eligible children from birth to age

three are enrolled in subsidized programs. Over 430,000 eligible families living in poverty lack access to subsidized care for their infants and toddlers.

The state has made progress in recent years in meeting the needs of income eligible preschool aged children. Approximately 69% of low-income four-year olds have access to a child care and development program and 38% of eligible three-year olds are enrolled. In addition to access to Head Start programs, recent actions to expand available state preschool slots and expand the availability of transitional kindergarten have provided opportunities for these children.

Lack of cohesive data infrastructure for the child care and development programs. At the present time there is no single data system that encompasses the myriad of child care and development programs.

Both the California Department of Education (CDE) and the Department of Social Services (DSS) maintains various information systems to track program enrollment, funding levels, licensure status, notices of licensing violations, among other elements. In addition, local planning councils (LPCs) and resource and referral agencies (R&R) at the county level are required to maintain specified elements of data relating to child care and development programs.

In 2005 legislation was enacted requiring each county to develop a central eligibility list (CEL) for families waiting to obtain CDE-administered subsidized child care and development services. Contractors receiving funding from CDE were required to participate in the CEL for enrollment purposes and were to report data to the CDE on a regular basis. From 2005 through 2010, \$7.9 million was appropriated annually to administer the lists in all 58 counties as well as the state level. This funding was eliminated in the Budget Act of 2011 and CELs were no longer administered as of June 30, 2011. Some counties have chosen to voluntarily maintain locally funded CELs, but this is no longer a state funded or coordinated program.

Federal government funding requires a consumer education database. In 2014, the federal government reauthorized the Child Care and Development Block Grant (CCDBG) with a number of significant requirements for state agencies receiving funding. The Governor's 2018-19 Budget estimates that California will receive \$617 million in CCDF funds. These funds support a number of California's subsidized ECE programs.

In order to be eligible for funding through the program, CDE as the lead state agency, was required to submit a three-year Child Care and Development Fund (CCDF) plan detailing how the state was meeting, or intended to meet the specified requirements.

One of the new requirements relates to consumer education and is intended to help parents make informed consumer choices and access information to support child development. Under these provisions, states are required to:

- Disseminate information to parents, providers, and the general public on child care services and other assistance programs.
- Provide parents applying for child care assistance with information about developmental screenings to identify any delays or disabilities.
- Describe the state's policies relating to suspension and expulsion in early childhood settings.

- Maintain a consumer education website with provider-specific information, including quality information.
- Post provider-specific reports and results from child care monitoring inspections in a consumer-friendly and easily accessible format.
- Provide CCDF families with a provider-specific consumer education statement that includes a summary of the state's health and safety and licensing policies.
- Post the annual number of deaths, serious injuries, and instances of substantiated child abuse that occurred in all CCDF-eligible child care settings.

In California's state plan, information is provided on the degree to which California meets these requirements or the plans to meet the requirements, which include the following:

- Information about the availability of child care services is provided through the 71 Child Care Resource and Referral (R&R) agencies that the CDE contracts with to help families find child care and to support child care providers. The R&Rs operate a statewide toll-free line and provide online access to connect parents with their local R&R.
- County welfare departments connect eligible families to a range of support services including subsidized child care as well as other services including health care, food programs, housing programs and energy assistance.
- DSS's Community Care Licensing program maintains websites that display data on child care facilities, including compliance with licensing and health and safety requirements, complaints received, and other data for families searching for care as well as for providers, and also maintains a statewide hotline for reporting complaints and licensing related inquiries.
- Information on quality ratings of California child care agencies participating in the Quality Ratings and Improvement (QRIS) system is available on individual county QRIS websites.

The development of an online portal, as required by this bill, may increase compliance with federal CCDF consumer education requirements. This bill proposes that the SPI develop an online portal for California's comprehensive child care and development system. The intent would be to provide families with access to information and an ability to enroll in the available subsidized programs that best meet their needs; to allow providers to connect with families and share data with state agencies.

The Budget Act of 2015 appropriated \$300,000 in one-time federal CCDF funds to permit the CDE to contract with the Resource and Referral Network to support data collection efficiencies, which has resulted in the creation of the My Child Care Plan website (www.mychildCareplan.org), an online portal for parents to access child care information and referral tools online. Presumably the online portal required in this bill would build on these existing efforts.

The bill's language is simplistic and thus, it is difficult to judge the specific parameters that such a system or portal would encompass or the actual functionality. Presumably, this is being left to the CDE to determine. As the above information illustrates, this would be a complex task involving multiple state and local agencies, thousands of providers, and a multitude of stakeholders. The bill calls for the SPI to provide a comprehensive plan for developing this portal as well as the changes that would need to be implemented within the individual programs and information systems to allow for seamless integration into a single state portal by June 30, 2019. As this bill would take effect on January 1, 2019, the SPI would be required to complete this plan within a six month period.

Committee staff recommends that the bill be amended to extend the deadline for the report to January 1, 2020 and for the completion of the online portal to June 30, 2022.

REGISTERED SUPPORT / OPPOSITION:

Support

California Alternative Payment Program Association
Child Care Alliance of Los Angeles
Child Care Resource Center

Opposition

None on file

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