
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 427
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Urgency: No
Consultant: Olgalilia Ramirez
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Fiscal: Yes

Subject: Early primary programs: child care services: eligibility: military families

SUMMARY

This bill excludes the military housing allowance from being calculated as income when determining eligibility for child care and development services specified under the Child Care and Development Services Act.

BACKGROUND

- 1) Existing law 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 including a full range of supervision, health, and support services through full- and part-time programs. (Education Code § 8200 et seq.)
- 2) Existing law defines “child care and development services” to mean services designed to meet a wide variety of children’s and families’ needs while parents and guardians are working, in training, seeking employment, incapacitated, or in need of respite. (EC § 8208)
- 3) Existing law requires the Superintendent of Public Instruction to administer general child care and development programs to include, among other things as specified, age- and developmentally-appropriate activities, supervision, parenting education and involvement, and nutrition. Further allows such programs to be designed to meet child-related needs identified by parents or guardians, as specified. (EC § 8240 and § 8241)
- 4) Existing law establishes requirements that families must meet in order to be eligible for federal and state subsidized child development services, and grant priority enrollment to children who have been or are at risk of being abused or neglected, as specified. (EC § 8263)
- 5) Existing federal law provides, a basic allowance for housing to which a uniformed service member, including a member with dependents, as specified, is entitled if he or she is also entitled to basic pay. (37 U.S.C. § 403)

ANALYSIS

- 1) Excludes from income calculation the amount of basic allowance for housing received by specified active duty military for purposes of determining eligibility for

child care and development services specified under the Child Care and Development Services Act.

- 2) Specifies, that the amount of basic allowance for housing excluded from income be equal to the lowest rate of the allowance for the military housing area in which an individual resides.
- 3) Makes a number of legislative declarations and findings related to military families and the role child care and preschools play for providing a stability environment for military children.

STAFF COMMENTS

- 1) **Need for the bill:** To help cover the cost of housing for a military family, some service members are issued a housing allowance. According to the author, many of these families that could be eligible for subsidized child care services do not qualify as a result of the housing allowance inflating their calculated income. This bill seeks to expand access to state subsidized child care programs for active duty military families.
- 2) **Military Allowance for Housing.** The housing allowance or the Basic Allowance for Housing (BAH) is based on geographic duty location, pay grade, and dependency status. The intent of BAH is to provide service members equitable housing compensation based on local housing markets, when military housing is not provided. In California, the beginning BAH for beginning-ranking personnel with dependents range from the mid \$800's for areas such as China Lake to the mid \$3,000's for San Francisco. The ranges subsequently increase according to military rank. In order to be eligible for subsidized child care and development services, state regulations require a family's adjusted monthly income to be at or below 75% of the state median income.

This bill proposes to exclude the BAH as income for purposes of determining eligibility for child care and development services thereby making families that would not otherwise qualify eligible for subsidized care. Under the provisions of this bill the amount of basic allowance for housing excluded from income must be equal to the lowest rate of the allowance for the military housing area in which an individual resides. Leaving a higher ranking official with the same allowance as lower ranking personnel.

- 3) **Child Care Eligibility.** Existing law specifies that children are eligible for subsidized child care if the family currently receives aid, meets specified income eligibility requirements, is homeless, or if the child is the recipient of protective services, or has been identified as neglected, abused or exploited (or at risk of such). In addition, the family must be in need of child care services due to specified social service circumstances, employment training, or other specified needs.

Existing state regulations (Title 5, CCR, § 18134) allow for state pre-school programs located on or in close proximity to a military base to, exclude the military housing allowance provided for active military personnel, when calculating income

for eligibility. This bill would expand this process to include a variety of child care and development services as defined by current law.

4) ***Prior legislation.***

AB 170 (Saldaña, 2007) similar to this bill, excludes from income calculation the basic housing allowance received by active military personnel for purposes of determining eligibility for state preschool. AB 170 died in the Assembly Appropriations committee.

SUPPORT

American Federation of State, County and Municipal Employees (AFSCME)
California School Boards Association
California State PTA
San Diego County Office of Education
San Diego Unified School District

OPPOSITION

None received.

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