
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 1001 **Hearing Date:** June 26, 2019
Author: Ting
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Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Child care: strategic planning councils.

NOTE: This bill has been referred to the Committees on Education and *Human Services*. A "do pass" motion should include referral to the Committee on *Human Services*.

SUMMARY

This bill updates the composition and duties of local planning councils (LPCs), renames them strategic planning councils, and defines requirements of these councils to collect local input and facilitate local decision-making regarding early childhood education (ECE) services and to guide local and statewide ECE investments, through the more effective collection and sharing of data between local and statewide agencies.

BACKGROUND

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 including a full range of supervision, health, and support services. (Education Code (EC) § 8200 *et seq.*)
- 2) 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 and states that these services may include direct care supervision, instructional activities, resource and referral programs, and alternative payment arrangements. (EC § 8208)
- 3) States Legislative intent that LPCs provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities. (EC § 8499.3)
- 4) Requires the county board of supervisors and county superintendent of schools to select the members of the LPC and establish the term of appointments for those members, and requires the LPC to have consumers, child care providers, public agency representatives, community representatives, and agency appointees, each representing 20 percent of the membership, as specified. (EC § 8499.3)

- 5) Requires every effort to be made to ensure that the ethnic, racial, and geographic composition of the LPC is reflective of the ethnic, racial, and geographic distribution of the population of the county. (EC § 8499.3)
- 6) Permits the board of supervisors and county superintendent of schools to designate an existing child care planning council or coordinated child and family services council as the LPC, provided representation requirements are met, as specified. (EC § 8499.3)
- 7) Requires each LPC to develop and implement a training plan to provide increased efficiency, productivity, and facilitation of LPC meetings, as specified. (EC § 8499.3)
- 8) Requires an LPC to, upon approval by the county board of supervisors and the county superintendent of schools, submit the local priorities it has identified that reflect all child care needs in the county to California Department of Education (CDE) by May 30 of each year. (EC § 8499.5)
- 9) Requires an LPC to, in order to meet its obligation of annually submitting local priorities to CDE, carry out a number of activities including, among others: conducting an assessment of child care needs in the county at least once every five years; encouraging public input in the development of the priorities, including through at least one public hearing; and, preparing a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs, as specified. (EC § 8499.5)
- 10) Requires CDE, with specified exceptions, to allocate funding within each county in accordance with the priorities identified by the LPC of that county and submitted to the CDE, unless the priorities do not meet the requirements of state or federal law. (EC § 8499.5)

ANALYSIS

This bill updates the composition and duties of LPCs, renames them strategic planning councils, and defines requirements of these councils to collect local input and facilitate local decision-making regarding ECE services and to guide local and statewide ECE investments, through the more effective collection and sharing of data between local and statewide agencies. Specifically, it:

Composition of the strategic planning council

- 1) Removes the requirement that the county board of supervisors and the county superintendent of schools select the members of the LPC and establish the term of appointment of members.
- 2) Requires the strategic planning council to include all of the following:
 - a) One representative from a resource and referral agency in the county, appointed by resource and referral agencies in the county, as specified.

- b) One representative from an alternative payment provider in the county, appointed by alternative payment providers in the county, as specified.
 - c) One representative from the local First 5 county commission.
 - d) One representative from the board of supervisors.
 - e) One representative from the county human services department.
 - f) One representative from the parent advisory committee, as specified.
 - g) One representative from the provider advisory committee, as specified.
 - h) One representative of a local postsecondary educational institution that receives state or federal fund is nominated by the planning council and appointed by the county board of supervisors.
 - i) Other local government agencies that provide services to children from birth to 12 years of age.
 - j) Other representatives, at the discretion of the strategic planning council.
- 3) Authorizes an individual to represent more than one of the specified categories.
 - 4) Requires members to serve a term of three years.
 - 5) Authorizes the county board of supervisors and the county superintendent of schools to appoint the local government agency representatives and “other” representative as specified.
 - 6) Authorizes the county board of supervisors and the county superintendent of schools to merge the strategic planning county and the Quality Rating and Improvement System local consortia.
 - 7) Authorizes the county board of supervisors and the county superintendent of schools in two or more neighboring counties to merge their strategic planning councils so long as they achieve the representation outlined in this analysis in 6) above. The bill requires counties that choose to merge councils to make every effort to ensure that meetings are accessible to consumers and providers in all of the counties that the council represents.

Parent advisory committee

- 8) Requires the parent advisory committee to be made up of consumers and may include, the following members:
 - a) One consumer who receives services from a family childcare home provider or a family, friend, and neighbor provider.
 - b) One consumer who receives services from a childcare center provider.

- c) One consumer who receives services from a transitional kindergarten provider.
- d) One consumer who represents a tribal organization who receives services from a childcare provider.
- e) One consumer who is a parent of a child with exceptional needs who receives services from a child care provider.
- f) One consumer who receives services from an after school program.

Provider advisory committee

- 9) Specifies that the provider advisory committee:
 - a) One family childcare home provider or a family, friend, or neighbor provider.
 - b) One childcare provider that meets the Title 5 licensing requirements.
 - c) One childcare provider that meets the Title 22 licensing requirements.
 - d) One Head Start provider.
 - e) One representative from a labor union that represents child care providers in the county.
 - f) One representative from a childcare provider experienced in providing services to children with exceptional needs in a full inclusion environment.

Needs assessment and data sharing

- 10) Revises current requirements placed on planning councils related to identification of local priorities and assessment of childcare needs by, among other things, requiring the CDE to increase standardization of the quinquennial needs assessment through prescription of required elements and development, by 2021, of a needs assessment template, as specified.
- 11) Requires the State Department of Social Services, the State Department of Public Health, local departments of social services and welfare, local regional centers, special education local plan and local resource and referral agencies to provide to the department the information necessary for strategic planning councils to complete the needs assessment.
- 12) Requires the department to share data and information necessary to complete the needs assessment, with strategic planning councils and counties implementing individualized county childcare subsidy plans.

Strategic plan and investment priorities

- 13) Requires the strategic planning councils, by March 30, 2021, and every three years thereafter, to develop and submit to the county board of supervisors and the county board of education a strategic plan and investment priorities using the specified template and requires prior the strategic plan and investment priorities can be submitted for approval the strategic planning council do all of the following:
 - a) Post the most recent needs assessment on the strategic planning council's website and annually share the needs assessment with school districts.
 - b) Seek input from the parent advisory committee and the provider advisory committee.
 - c) Identify existing publicly owned facilities that could house a childcare program, as specified.
 - d) Encourage public input in the development of the strategic plan and investment priorities, as specified.
- 14) Requires that the strategic plan address facility needs, workforce needs, family access, quality, and transition planning.
- 15) Requires the county board of supervisors and the county board of education to hold public hearings on the proposed strategic plan and investment priorities at a regularly scheduled meeting that are held prior to adoption of the strategic plan and investment priorities, as specified.
- 16) Requires the county board of supervisors and the county board of education to each approve the strategic plan and investment priorities no later than July 1 of each year in which a strategic plan and investment priorities are submitted.
- 17) Requires that the strategic plan and investment priorities be effective for a period of three years and updated each intervening year by March 30.
- 18) Requires at least twice each year, a strategic planning council to convene a forum for stakeholders to provide input to and receive updates from the Quality Rating and Improvement System local consortium.
- 19) Requires that the strategic planning county to work with the county office of education, special education local plan areas, and the school districts and regional centers in the county to facilitate the transition of children with exceptional needs into the K-12 system.
- 20) Makes the bill's provisions regarding develop and submission of a strategic plan and investment priorities.

Misc.

- 21) Makes other technical and conforming changes.
- 22) Replaces the term “local child care and development planning council” with “strategic planning council.”
- 23) Adds to Legislative intent language regarding local childcare and development planning councils the intent that such councils seek to create a local system of support for childcare.
- 24) Adds early childhood education services to the “child care,” definition.
- 25) Strikes the definitions for community and public agency representative.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Under current law, Local Planning Council’s produce a county needs assessment that is intended to articulate the county’s need for child care. However, the lack of comprehensive data, missing agencies that are vital to decision-making, inconsistent reporting, and gaps in scope, limit both the state’s ability to use the assessment as a roadmap to improve and expand California’s ECE system, and local communities’ ability to build consensus around investment priorities.”

This bill seeks to improve local early care and education strategic planning by standardizing the needs assessment process, ensuring stakeholder input and requiring planning bodies to identify investment priorities.

- 2) ***Local planning councils.*** According to the Assembly Education Committee analysis, each county in California has an LPC. These LCPs are designed to provide a forum for the identification of local priorities for childcare, and the development of policies to meet the needs identified within those priorities. State law requires the county board of supervisors and county superintendent of schools to select the members of the LPC and to establish the term of appointments for those members, and requires the LPC to have consumers, childcare providers, public agency representatives, community representatives, and agency appointees each represent 20 percent of the LPC’s membership. LPCs are charged with a number of responsibilities, including: conducting an assessment of childcare needs at least once every five years, preparing local comprehensive countywide child care plans that are designed to mobilize public and private resources to address identified needs, and encouraging local input into development of community-level priorities.

LPCs were first established in California in the early 1990s, with the adoption of AB 2141 (Speier) which created local planning processes in response to the federal adoption of the Child Care and Development Block Grant (CCDBG) program in 1991. The creation of local planning councils, was intended to ensure the inclusion of local voices when determining priorities for allocation of CCDBG dollars. LPCs were formalized in 1997 with the adoption of AB 1542 (Ducheny).

- 3) ***Childcare in California.*** The childcare and development system in California is a complex system. General childcare and development programs are state and federally funded programs that use centers and family childcare home networks operated or administered by either public or private agencies and LEAs. These agencies provide child development services for children from birth through 12 years of age and older children with exceptional needs.

Families may be eligible for state-subsidized childcare through participation in CalWORKs, or based on income and if they can show need for child care services. Income eligibility for families that are not current recipients of CalWORKs (general childcare) is established, initially, at 70 percent of state median income. Families remain income eligible until their adjusted monthly income exceeds 85 percent of the most recent state median income, adjusted for family size. The state's child care and development services are delivered to eligible families through three categories of providers, providers with a direct service contract with the CDE (Title 5) and voucher-based licensed and licensed-exempt (Title 22) and CalWORKs (Title 22). This mixed delivery system allows families to choose from center-based care, family childcare homes and in-home care. This bill seeks to restructure LPCs to ensure that key stakeholders in early learning programs, including local early learning organizations, parents, providers, county agencies, and other organizations that serve children in a specific county, are included in the decision-making process for identifying local priorities as well as guiding local and statewide investments.

- 4) ***Assembly Blue Ribbon Commission on Early Childhood Education:*** The Assembly Blue Ribbon Commission held a hearing on March 11, 2019 in its final report regarding development of an early learning system that meets the needs of children, families, and providers. The commission asserts that the current funding for the system is outdated and the need for access to childcare continues to grow. The report provides numerous recommendations for topics within early childhood education, some of which relate to data collection and implementation of an effective coordinating body. Recommendations related to the provisions in this bill include, among other things:

- Each region, county or sub-county should have an effective local coordinating body that does local needs assessments, that collects data, identifies equity goals and implementation for targeted resources and policies, that supports local innovation, coordinates local partnerships, and evaluates local efforts. This body should have robust parent and provider as well as agency, Tribal and local government involvement. They should be linked to state bodies. The state should adequately support these bodies including stipends for parents and providers to participate.
- Ongoing data collection and mapping should identify geographic disparities and childcare deserts on an ongoing basis and develop proposals with an equity lens to incentivize creation of supply particularly in childcare deserts. New funding should be directed to areas of greatest need and we should consider contracts and other incentives to develop resources in areas with little supply.

- Decrease barriers to linking administrative data across systems and build on existing administrative data systems to provide timely data on the array of federal, state and locally funded programs serving families with young children. Use linked administrative data to support cross-agency planning, inform decision-making and guide resource allocation based on key outcomes for children.
- 5) ***Migrant Child Care.*** The state also subsidizes care for two specific populations—children of migrant workers and children with severe handicaps. Migrant childcare and development programs provide services to families who earn at least 50 percent of their total gross income from employment in fishing, agriculture or agriculturally related work during the twelve-month period immediately preceding the date of application. Although the migrant population in California is declining, staff understands that California is home to the largest number of migrant students in the country and one in three migrant students reside in the state. Staff notes that the bill specifics that the provider advisory committee have representative from a child care provider experienced in providing services to children with exceptional needs
- To ensure representation of children of migrant workers and their unique needs on the provider advisory council, ***staff recommends that the bill be amended*** to add to the provider advisory committee one representative from a childcare provider experienced in providing services to children of migrant families.
- 6) ***Prior legislation.*** SB 192 (Liu, 2014) would have required, LPCs to develop a draft of local priorities for early learning and educational support program funding that considers the resources currently available in attendance areas of elementary schools ranked in deciles 1 to 3, inclusive, of the Academic Performance Index. Also would have required that the CDE to allocate funding within each county in accordance with the priorities identified by the LPC of that county unless the priorities do not meet the requirements of state or federal law. This bill was held in the Assembly Appropriations Committee.

SUPPORT

Alameda County Board of Supervisors
 Association of California School Administrators
 California Child Care Coordinators Association
 California County Superintendents Educational Services Association (Sponsor)
 Child Advisory Council of Santa Cruz County
 Child Care Coordinating Council of Nevada County
 Child Care Planning Council of Sonoma County
 County of San Mateo
 Early Care and Education Planning Council Alameda
 El Dorado County Office of Education
 Every Child California
 Everychild California
 First 5 California
 First 5 LA
 First 5 San Bernardino

First 5 San Francisco
First 5 San Mateo County
Head Start California
Head Start California
Kidango
League of Women Voters of California
Local Child Care Planning Council Glenn County
Local Early Education Planning Council of Santa Clara County
Local Planning Council of Venture County
Riverside County Office of Education
San Bernardino County Superintendent of Schools
San Mateo County Board of Supervisors
San Mateo County Office of Education
Santa Clara County Office of Education
Santa Cruz County Childhood Advisory Council
Silicon Valley Community Foundation
Silicon Valley Community Foundation
Yuba County Office of Education

OPPOSITION

None received

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