
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No:	AB 2001	Hearing Date:	May 9, 2018
Author:	Reyes		
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Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Family child care home education networks.

SUMMARY

This bill clarifies, expands and standardizes the duties and responsibilities of family child care home education network contractors and providers.

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 through full- and part-time programs. (Education Code § 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. (EC § 8208)
- 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. (EC § 8202)
- 4) Requires the Superintendent of Public Instruction (SPI) to ensure that contracts for child care and development programs include a requirement that each provider maintain a developmental profile to appropriately identify the emotional, social, physical, and cognitive growth of each child served in order to promote the child's success in the public schools. (EC § 8203.5(b))
- 5) Requires the SPI 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. (EC § 8240 and § 8241)

- 6) Defines a "family child care home education network" to mean an entity organized under law that contracts with the California Department of Education (CDE), as specified, to make payments to licensed family child care home providers, and to provide educational and support services to providers and to children and families eligible for state-subsidized child care and development services. (EC § 8208(p))
- 7) Requires the Superintendent of Public Instruction to contract with entities organized under law to operate family child care home education networks (FCCHEN), as specified, and establishes requirements for FCCHEN programs including to ensure that provider services are of high quality and educationally and developmentally appropriate. (EC § 8245 and § 8246)

ANALYSIS

This bill clarifies, expands and standardizes the duties and responsibilities of FCCHEN contractors and providers. Specifically, it:

Programs

- 1) Requires that FCCHEN programs include:
 - a) Nutrition *education and training* (rather than simply "nutrition").
 - b) Tools used to make a currently-required assessment be appropriate to family child care home settings.
 - c) Maintenance of a folder, known as a developmental portfolio, for each child that includes, among other items, a child's work product and observations of the child.
 - d) *Opportunities for* parent involvement (rather than "parent involvement").

Contractors

- 2) Requires FCCHEN contractors to do all of the following:
 - a) Develop and implement a plan for timely payment to providers.
 - b) Use appropriate tools to assess FCCHEN providers when conducting currently-required assessments of the educational quality of the program.
 - c) Use the provider's observations (rather than consult with the provider) when completing a developmental profile for each child, and requires contractors to do at least both of the following:
 - i) In consultation with the provider, complete the developmental child assessment profile selected by the CDE. This bill requires the

- contractor's child development specialist to sign the developmental profile.
- ii) Use the developmental portfolio maintained by the provider, including provider observations of each child.
- d) Conduct a parent survey as directed by the California Department of Education (CDE).
 - e) Ensure that parent conferences are offered to the parent of each enrolled child. This bill authorizes the parent to decline a parent conference.
 - f) Conduct at least six site visits to each affiliated provider in a program year for purposes of conducting assessments and providing technical assistance, training, and support.
 - g) Support the affiliated providers in meeting the standards for program quality by reviewing, observing, and assessing the providers' program components, and providing technical assistance, training, and coaching.
 - h) Offer providers at least 12 hours annually of training and technical assistance in a group or individual settings. This bill authorizes trainings to include, but are not limited to, the following:
 - i) Age- and developmentally-appropriate educational practices and activities for children.
 - ii) Appropriate care and supervision of children.
 - iii) Engaging parents in the program and providing parenting information on age-appropriate child development and activities.
 - iv) Menu planning and nutrition information.
 - v) Provider and family communication.
 - vi) Understanding the developmental measures of the developmental profile child assessment instrument.
 - vii) Individualizing the provider's program to meet the needs of each child in the provider's care by using the results of the developmental profile.
 - i) Employ at least one child development specialist who has educational qualifications equivalent to a child development teacher permit, to provide training, technical assistance, and coaching to providers. This bill prohibits family child care home education networks, providers from being required to employ individuals with child development teacher permits.

- j) Maintain a signed, written agreement with each affiliated provider and an authorized representative of the family child care home education networks (FCCHEN). This bill requires the agreement to include, but not be limited to, all of the following:
 - i) The provider's status as an independent contractor with the FCCHEN.
 - ii) The provider's non-discrimination policy.
 - iii) The established reimbursement rate.
- 3) Provides that a FCCHEN contractor is not required to maintain a parent advisory committee.

Providers

- 4) Requires that FCCHEN providers do all of the following:
 - a) Provide age- and developmentally appropriate educational activities for children.
 - b) Provide care and supervision of children.
 - c) Provide parenting education to parents. This bill authorizes parenting education to include, but is not limited to, general program information and formal or informal parent conferences and exchange of information about the development, needs, and skills of the parents' child or children.
 - d) Identify child and family social service or health needs, and share those needs with the contractor.
 - e) Provide nutrition that is consistent with standards of the federal Child and Adult Care Food Program of the United States Department of Agriculture.
 - f) Work in consultation with the contractor to complete the developmental profile for each child, including doing all of the following:
 - i) In consultation with the contractor, complete the developmental profile child assessment instrument.
 - ii) Maintain a developmental portfolio for each child that includes items produced by the child. This bill requires a copy of this portfolio to be shared with the FCCHEN contractor for purposes of review by the California Department of Education.
 - iii) Maintain observations and other documentation of the child's skills.

- iv) Conduct or participate in parent conferences pursuant to contractor policies.
 - g) Provide the contractor with copies of all citations issued to the provider by the Community Care Licensing Division of the Department of Social Services within five calendar days of the issuing date of the citation.
 - h) Obtain at least 12 hours of professional training annually, and maintain documentation of the training for three years. This bill authorizes training to include group or individual training provided by the contractor, or training provided by other qualified individuals or organizations.
- 5) Authorizes, but specifically does not require, a provider to encourage parent involvement in the provider's family child care home education networks (FCCHEN) program.
- 6) Prohibits a provider from being required to maintain a parent advisory committee.

Curricula

- 7) Requires a provider in a FCCHEN to adopt and use a curriculum or curricula, of the provider's choosing, appropriate for the age range of children in the home.
- 8) Authorizes the contractor, in order to ensure educational quality for children, to adopt a policy limiting the curricula acceptable within its network. This bill requires such policy to include at least three curricula, and authorizes the contractor to approve provider-developed curricula if they are educational and appropriate for the age ranges of children in the home.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "current law lacks consistent administration and implementation of FCCHENs, so tools used to make quality assessments may not be appropriate to family child care home settings." This bill seeks to provide consistency in administering FCCHEN programs by expanding and codifying standards for both the contracting agencies and providers.
- 2) **State-subsidized child care.** The state's child care and development services are delivered to eligible families through two categories of providers, providers with a direct service contract with the California Department of Education (licensed Title 5 programs) and Title 22 (Alternative Payment Programs/vouchers) licensed and licensed-exempt general child care providers which include centers, *family child care homes* and in-home care. Title 5 child care providers must meet education and training standards that exceed those of Title 22 child care providers (licensed and license-exempt), as well as provide an educational component. Families in need of child care services may be eligible for state-subsidized child care through participation in CalWORKs, or by meeting income eligibility requirements. Initial income eligibility for families that are not

current recipients of CalWORKs is established below 70 percent of state median income—\$58,524 for a family of four for the fiscal year 2017-18. Families remain income eligible until their adjusted monthly income exceeds 85 percent of the most recent state median income, adjusted for family size.

A family child care provider contracting with the California Department of Education (CDE) through a Family Child Care Home Education Network (FCCHEN) contractor is required to follow Title 22 requirements.

- 3) **Family child care homes.** The Community Care Licensing Division (CCLD) within the Department of Social Services (DSS) regulates and oversees various licensed child care facilities in the state, including family child care homes. Licensed family child care homes must be in a provider's own home and provide a home-like environment. The types of family child care homes vary widely, from small family child care homes that care for a few children to a large family child care home that cares for up to 14 children depending on their ages. As of June 30, 2017, there were 28,679 licensed family day care homes in the state, with the capacity to serve 298,026 children.

Home-based care can be especially important for families with lower incomes, who are more likely to work non-traditional work hours and have a need for care providers offering flexible schedules on nights and weekends. For example, United States Department of Labor data from 2013 demonstrated that four out of every 10 people classified as "working poor" – i.e., individuals spending at least 27 weeks in the labor force yet still earning incomes below the federal poverty level – worked in service occupations. Service sector jobs can often involve nontraditional and less predictable work schedules. Correspondingly, family child care homes are more likely to serve the needs of families with parents that work nontraditional hours. The California Child Care Resource and Referral Network reports that, in 2014, 39 percent of licensed family child care homes in California offered evening, overnight, and/or weekend care, while only 2 percent of child care centers did the same.

- 4) **Family Child Care Home Education Networks (FCCHEN).** Current law, provides that the Superintendent of Public Instruction contract with entities organized to operate FCCHENs that support educational objectives for children in licensed family child care homes that service families eligible for subsidized care. According to the CDE, a FCCHEN is a formally organized entity that supports licensed family child care providers by offering training and technical assistance and monitoring of quality standards. FCCHEN staff conduct home visits to affiliated providers to monitor quality, complete developmental assessments of children receiving subsidized child care and development services, and act as a resource for specific questions or issues that may arise concerning a particular child or family. Providers usually contract independently with the network, but some networks employ the providers directly. The roles, responsibilities, and requirements that FCCHENs are required to meet, are contained in the education code and state regulations developed by the CDE. Overall there are roughly 30 to 40 FCCHENs statewide. In 2016-17, 5,633 children were served under a FCCHEN.

- 5) **Why codify standards?** This bill codifies best practices of practitioners in the field and establishes a standard framework for family child care home education networks (FCCHEN) contractors and providers. In so doing, may provide greater awareness of, and compliance with, responsibilities, and requirements. However, codification could create cost pressure to provide additional funding for the services specified in this bill. Supporters of the bill assert that given that family child care providers are independent small businesses that do not otherwise have an infrastructure of support, promoting awareness of FCCHENs that provide a structure for professional development support and resources would help build quality care in family child care home settings.

SUPPORT

California Association for the Education of Young Children
California Child Care Resource and Referral Network
Child Care Resource Center
Connections for Children
Crystal Stairs
International Institute of Los Angeles
Mexican American Opportunity Foundation
Options for Learning
The Child Care Alliance of Los Angeles
Wu Yee Children's Services

OPPOSITION

None received

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