

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN SENATE AUGUST 20, 2007

AMENDED IN SENATE JULY 12, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1400

Introduced by Assembly Member ~~Richardson~~ Hayashi

February 23, 2007

~~An act to add Sections 10509.5 and 10711 to the Public Contract Code, relating to state contracts.~~ *An act to add Article 15.4 (commencing with Section 8347) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to child care, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1400, as amended, ~~Richardson~~ Hayashi. ~~State contracts: report: contracting activity.~~ *Child care resource and referral programs: funding.*

The Child Care and Development Services Act provides for a system of child care and development services for children, including individuals with exceptional needs, by public and private child care providers. The act authorizes the establishment of child care resource and referral programs for the purpose of, among other things, providing information and referrals to child care services and assistance to child care providers.

This bill would appropriate \$3,600,000 to the Superintendent of Public Instruction to provide funding to child care resource and referral programs for specified purposes relating to the provision of child care for children with, or at high risk of being identified as having, disabilities or other special needs.

~~Existing law requires state agencies, and encourages the University of California, to establish statewide participation goals, as specified, for small businesses or microbusinesses, minority business enterprises, women business enterprises, and disabled veteran business enterprises in contracts for construction, the provision of information technology, the procurement of goods, or the delivery of services. Existing law requires specified state agencies, including the Department of General Services, to make available a report on specified contracting activity, including information on the level of participation in statewide contracting by disabled veteran business enterprises, small businesses or microbusinesses, and, if available, business enterprises categorized by race, ethnicity, and gender of the owner, as provided.~~

~~This bill would require the Trustees of the California State University and the Regents of the University of California to submit a report to the Department of General Services that contains specified information on contracting activity, including information on the level of participation in statewide contracting by disabled veteran business enterprises, small businesses or microbusinesses, and, if available, business enterprises categorized by race, ethnicity, and gender of the owner, as provided.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (1) *A compelling body of research demonstrates that early*
- 4 *identification and intervention for children with disabilities or*
- 5 *other special needs results in a decrease in the need for special*
- 6 *education placements upon arrival in the public school system and*
- 7 *enhances a child's ability to succeed in school.*
- 8 (2) *A large number of children receive child care through*
- 9 *licensed family day care, child care centers, and in license-exempt*
- 10 *care.*

1 (3) *It is in the best interest of children, families, and the state*
2 *economy to facilitate the inclusion of children with disabilities or*
3 *other special needs into existing child care programs.*

4 (4) *Training and technical assistance enhances the ability of a*
5 *child care provider to identify and accommodate children with*
6 *disabilities or other special needs.*

7 (5) *Child care resource and referral programs uniquely are*
8 *suited to provide training and technical assistance to assist child*
9 *care providers to increase their ability to serve children with*
10 *disabilities or other special needs. As the single state-funded entity*
11 *that serves all parents regardless of income, child care resource*
12 *and referral programs uniquely are suited to assist the families of*
13 *children with disabilities or other special needs to become aware*
14 *of their rights to access child care services and to connect families*
15 *with the services available in their community.*

16 (b) *It is therefore the intent of the Legislature that children with*
17 *disabilities or other special needs be fully included in child care*
18 *programs.*

19 SEC. 2. *Article 15.4 (commencing with Section 8347) is added*
20 *to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education*
21 *Code, to read:*

22
23 *Article 15.4. Child Care Resource and Referral Programs*
24

25 8347. (a) *For purposes of this section, “children with*
26 *disabilities or other special needs” means children who are*
27 *protected by the federal Americans with Disabilities Act of 1990*
28 *(42 U.S.C. Sec. 12101 et seq.) or have, or are at risk for, a chronic*
29 *physical, developmental, behavioral, or emotional condition, and*
30 *who require developmental, health, or mental health, and related*
31 *services and supports of a type or amount beyond that which is*
32 *required for the general population of children.*

33 (b) *Funds appropriated for purposes of this article shall be used*
34 *to provide continued funding to state-funded child care resource*
35 *and referral programs in all counties in the state, except that in*
36 *Orange, Sutter, and Yuba Counties the funding shall be allocated*
37 *to the local planning council to continue existing services, for the*
38 *purposes of facilitating the inclusion of children with disabilities*
39 *or other special needs into existing child care programs and*
40 *increasing the capacity of state-subsidized and nonstate-subsidized*

1 *child care providers to serve those children in child care settings*
2 *that meet their developmental needs, consistent with the intent of*
3 *this chapter. A funded agency may expend funds awarded pursuant*
4 *to this article for any of the following purposes:*

5 *(1) To provide enhanced child care referrals to parents seeking*
6 *child care for their children with, or at high risk of being identified*
7 *as having, disabilities or other special needs, and parental support*
8 *as necessary.*

9 *(2) To provide or contract for various purposes that may*
10 *include, but are not limited to, providing training and technical*
11 *assistance to child care and development providers to increase*
12 *their capacity to care for children with, or at high risk of being*
13 *identified as having, disabilities or other special needs.*

14 *(3) To conduct awareness and outreach to child care and*
15 *development providers to increase their knowledge and*
16 *understanding of the federal Americans with Disabilities Act of*
17 *1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Individuals*
18 *with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) to*
19 *accommodate children with, or at high risk of being identified as*
20 *having, disabilities or other special needs, and to increase their*
21 *awareness of available support services to assist them in meeting*
22 *the needs of all children.*

23 *(4) To conduct awareness and outreach to parents of children*
24 *with, or at high risk of being identified as having, disabilities or*
25 *other special needs, to increase their understanding of their rights*
26 *to accessible child care and to increase their awareness of*
27 *available services, provided that the activities contracted for*
28 *further the purposes of this article.*

29 *(c) The county allocation shall be developed by applying the*
30 *county ratio to the funding appropriated for purposes of this article*
31 *after a minimum allocation of five thousand dollars (\$5,000) is*
32 *set aside for each of the smallest counties that would otherwise*
33 *receive less than five thousand dollars (\$5,000), based on the*
34 *allocation plan set forth in Chapter 379 of the Statutes of 2005*
35 *(Senate Bill 640).*

36 *(d) A state-funded child care resource and referral program,*
37 *or the local planning council in Orange, Sutter, or Yuba County,*
38 *that is interested in continuing to provide child care services shall*
39 *submit a proposal for approval by the department for the use of*
40 *the funds, based on identified community needs, including a plan*

1 *for the manner in which approved activities will be implemented*
2 *at the local level.*

3 *(e) The department, in coordination with the California Child*
4 *Care Resource and Referral Network, shall develop uniform*
5 *reporting and evaluation procedures to obtain data on the use and*
6 *effectiveness of funds appropriated for purposes of this article.*

7 *SEC. 3. The sum of three million six hundred thousand dollars*
8 *(\$3,600,000) is hereby appropriated on a one-time basis from the*
9 *General Fund to the Superintendent of Public Instruction in*
10 *augmentation of the amount appropriated in Item 6110-485 of*
11 *Section 2.00 of the Budget Act of 2007.*

12 ~~SECTION 1. Section 10509.5 is added to the Public Contract~~
13 ~~Code, to read:~~

14 ~~10509.5. (a) On or before August 1 of each fiscal year~~
15 ~~beginning on and after August 1, 2008, the Regents of the~~
16 ~~University of California shall submit an annual report to the~~
17 ~~Department of General Services that contains the information~~
18 ~~specified in subdivisions (d), (e), and (f) of Section 10111 regarding~~
19 ~~contracts, excluding consulting services contracts, that were entered~~
20 ~~into during the previous fiscal year.~~

21 ~~(b) The information submitted pursuant to this section shall~~
22 ~~include data from each individual campus.~~

23 ~~SEC. 2. Section 10711 is added to the Public Contract Code,~~
24 ~~to read:~~

25 ~~10711. (a) On or before August 1 of each fiscal year beginning~~
26 ~~on and after August 1, 2008, the Trustees of the California State~~
27 ~~University shall submit an annual report to the Department of~~
28 ~~General Services that contains the information specified in~~
29 ~~subdivisions (d), (e), and (f) of Section 10111 regarding contracts,~~
30 ~~excluding consulting services contracts, that were entered into~~
31 ~~during the previous fiscal year.~~

32 ~~(b) The information submitted pursuant to this section shall~~
33 ~~include data from each individual campus.~~