

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 27, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2592

**Introduced by Assembly Member Buchanan
(Coauthors: Assembly Members Brownley and Torlakson)**

February 19, 2010

An act to add *and repeal* Article 14.7 (commencing with Section 8310) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to early childhood education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2592, as amended, Buchanan. Early Learning Quality Improvement ~~System~~. *Rating Scale Pilot Program*.

Existing law establishes the Early Learning Quality Improvement System Advisory Committee for the purpose of developing a policy and implementation plan for an Early Learning Quality Improvement System for the state. Existing law requires the committee to submit to the Legislature and the Governor an interim report by December 31, 2009, and a final report by December 31, 2010. The report is required to address various issues relating to early care and education programs that serve children from birth to 5 years of age, inclusive.

This bill would, *contingent upon the receipt of federal funds for this purpose*, require the State Department of Education to implement a quality rating scale *pilot program* based on the committee's recommendations for the purposes of measuring the quality of early care and education providers and ~~programs~~ *facilities*. The bill would

also require the California State Advisory Council on Early Childhood Education and Care to conduct an annual review of the *pilot* program, and provide ongoing recommendations for improvement of the quality rating scale. *The bill would require the State Department of Education to conduct an evaluation of the pilot program based on these reviews, and to submit the evaluation to the appropriate policy committees of the Legislature on or before January 1, 2016.*

This bill would make these provisions inoperative on June 30, 2017, and would repeal them as of January 1, 2018.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Numerous studies have shown that high-quality early
4 learning programs for low-income children significantly narrow
5 the achievement gap, reduce the high school dropout rate, and
6 produce savings from lower costs in special education, welfare,
7 recidivism or prisons, or both, and crime.

8 (b) Senate Bill 1629 of the 2007–08 Regular Session, enacted
9 as Chapter 41 of the Statutes of 2009, established the Early
10 Learning Quality Improvement System Advisory Committee to
11 assess the current early care and education infrastructure, including
12 other state and local quality rating systems, and develop an early
13 learning quality rating scale and implementation plan for the Early
14 Learning Quality Improvement System.

15 ~~(c) On March 10, 2009, President Barack Obama called on the~~
16 ~~United States Congress to create the federal Early Learning~~
17 ~~Challenge Fund, a proposal that would challenge states to develop~~
18 ~~effective, innovative models that promote high standards of quality~~
19 ~~and a focus on outcomes across early learning settings. In the~~
20 ~~President’s 2011 Budget, he dedicated \$9 billion over 10 years~~
21 ~~toward this effort.~~

22 ~~(d)~~

23 (c) On November 16, 2009, Governor Arnold Schwarzenegger
24 signed Executive Order S-23-09 that established the California
25 State Advisory Council on Early Childhood Education and Care
26 to build on the Early Learning Quality Improvement System

1 Advisory Committee’s work, and to ensure that California is
2 eligible to compete for and maximize its share of new federal early
3 learning dollars.

4 ~~(e) It is the intent of the Legislature that the development of the~~
5 ~~Early Learning Quality Improvement System provide a quality~~
6 ~~rating scale with program indicators that promote high-quality~~
7 ~~early care and education and future academic success.~~

8 SEC. 2. Article 14.7 (commencing with Section 8310) is added
9 to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education
10 Code, to read:

11
12 Article 14.7. Early Learning Quality Improvement System Act
13 *Rating Scale Pilot Program*
14

15 8310. For purposes of this article, “early care and education
16 providers” and “early care and education facilities” mean early
17 care and education providers or facilities that are regulated pursuant
18 to Title 5 or Title 22 of the California Code of Regulations.

19 ~~8311. The department shall implement a quality rating scale~~
20 ~~based on the recommendations submitted by the Early Learning~~
21 ~~Quality Improvement System Advisory Committee pursuant to~~
22 ~~Section 8301. The quality rating scale shall do all of the following:~~

23 *8311. (a) Based on the final recommendations developed by*
24 *the Early Learning Quality Improvement System Advisory*
25 *Committee pursuant to Section 8301, the department shall*
26 *implement a quality rating scale, on a pilot basis, that reflects the*
27 *cultural and linguistic diversity of California’s young children.*
28 *The quality rating scale may do any or all of the following:*

29 ~~(a)~~
30 (1) Measure the quality of services of an early care and
31 education provider.

32 ~~(b)~~
33 (2) Measure elements of quality of an early care and education
34 program *and facility* that include, but are not limited to, the
35 following:

36 ~~(1)~~
37 (A) Quality of the learning environment.

38 ~~(2)~~
39 (B) Quality of adult-child interactions.

40 ~~(3)~~

1 (C) Adult-to-child ratios.

2 ~~(4)~~

3 (D) Provider’s education and professional qualifications,
4 including those recognized by the Commission on Teacher
5 Credentialing.

6 ~~(5)~~

7 (E) Parent and family involvement.

8 ~~(e)~~

9 (3) Inform parents and other consumers of early care and
10 education services about the quality of a facility in a simple and
11 easy to understand manner.

12 ~~8312. The California State Advisory Council on Early Childhood~~
13 ~~Education and Care shall conduct an annual review of the program~~
14 ~~and provide ongoing recommendations for the improvement of~~
15 ~~the quality rating scale.~~

16 *(b) The department shall develop criteria for the selection of*
17 *early care and education providers and facilities to participate in*
18 *the pilot program described in subdivision (a). The department*
19 *shall ensure that the early care and education providers and*
20 *facilities selected are geographically diverse and provide services*
21 *to low income children, children with special needs, and English*
22 *learners.*

23 *8312. The California State Advisory Council on Early*
24 *Childhood Education and Care shall do both of the following:*

25 *(a) Conduct an annual review of the pilot program established*
26 *pursuant to this article and provide ongoing recommendations for*
27 *the improvement of the quality rating scale.*

28 *(b) Develop criteria to be used to evaluate the pilot program*
29 *established pursuant to this article.*

30 *8313. The department shall develop and implement any rules*
31 *and regulations necessary for the implementation of this article.*

32 *8314. The department shall conduct an evaluation of the pilot*
33 *program established pursuant to this article based on the annual*
34 *reviews and criteria developed by the California State Advisory*
35 *Council on Early Childhood Education and Care pursuant to*
36 *Section 8312. The department shall submit the evaluation to the*
37 *appropriate policy committees of the Legislature on or before*
38 *January 1, 2016.*

39 *8315. This article shall not be implemented unless federal early*
40 *care and education funds are provided for these purposes.*

1 8316. *This article shall become inoperative on June 30, 2017,*
2 *and, as of January 1, 2018, is repealed, unless a later enacted*
3 *statute, that becomes operative on or before January 1, 2018,*
4 *deletes or extends the dates on which it becomes inoperative and*
5 *is repealed.*

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