

AMENDED IN ASSEMBLY JANUARY 14, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 598**

---

---

**Introduced by Assembly Member Rendon**

February 24, 2015

---

---

An act to amend Sections 8245 and 8246 of, to add Section 8248 to, and to repeal and add Section 8247 of, the Education Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

AB 598, as amended, Rendon. Child care: family child care home education networks.

Existing law requires the Superintendent of Public Instruction to contract with entities organized to operate family child care home education networks that support educational objectives for children in licensed family child care homes that serve families eligible for subsidized care. Existing law requires the family child care home education network programs to include certain things, including an assessment of each family child care home provider to ensure that services are of high quality and are educationally and developmentally appropriate. Existing law also requires each family child care home education network to do certain things, including assess the educational quality of the program offered in each family child care home in the network and ensure that a developmental profile is completed for each child in consultation with the provider.

This bill would require that tools used to make these assessments be appropriate to family child care home settings. The bill would require

the network to complete the developmental profile in collaboration with the provider by doing certain things, including conducting a parent survey of a child’s developmental progress as directed by the department and incorporating it into the profile. *The bill would require a family child care home education network to include the maintenance of a developmental portfolio, as provided.* The bill would also require a family child care home education network to conduct a minimum of 9 site visits to each affiliated provider in a calendar year, as provided, among other things.

Existing law provides that the above laws do not impose any new requirements on a family child care home education network nor does it require any increase in reimbursement rates.

This bill would delete this law.

The bill would require a provider in a family child care home education network to adopt and use a curriculum or curricula of the provider’s choosing that is appropriate for the age range of children in the home. The bill would also impose additional duties on providers, including providing age and developmentally appropriate educational activities for children.

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. Section 8245 of the Education Code is amended
- 2 to read:
- 3 8245. (a) The Superintendent, with funds appropriated for this
- 4 purpose, shall contract with contracting entities to operate family
- 5 child care home education networks that support educational
- 6 objectives for children in licensed family child care homes that
- 7 serve families eligible for subsidized child care.
- 8 (b) Family child care home education network programs shall
- 9 include, but are not limited to, all of the following:
- 10 (1) Age and developmentally appropriate activities for children.
- 11 (2) Care and supervision of children.
- 12 (3) Parenting education.
- 13 (4) Identification of child and family social or health needs and
- 14 referral of the child or the family to the appropriate social or health
- 15 services.
- 16 (5) Nutrition.

1 (6) Training and support for the family child care home  
2 education network’s family home providers and staff.

3 (7) Assessment of each family child care home provider to  
4 ensure that services are of high quality and are educationally and  
5 developmentally appropriate. Tools used to make an assessment  
6 shall be appropriate to family child care home settings.

7 (8) Developmental profiles for children enrolled in the program.

8 (9) *Maintenance of a folder, known as a developmental portfolio,*  
9 *for each child that includes, among other items, a child’s work*  
10 *product and observations of the child by the provider, the child*  
11 *development specialist, or both.*

12 ~~(9)~~

13 (10) Parent involvement.

14 SEC. 2. Section 8246 of the Education Code is amended to  
15 read:

16 8246. A family child care home education network contractor,  
17 in addition to the requirements set forth in subdivision (b) of  
18 Section 8245, shall do all of the following:

19 (a) Recruit, enroll, and certify eligible families.

20 (b) Recruit, train, support, and reimburse licensed family home  
21 providers.

22 (c) Collect family fees in accordance with contract requirements.

23 (d) Assess, according to standards set by the department, the  
24 educational quality of the program offered in each family child  
25 care home in the network using assessment tools that are  
26 appropriate to family child care home settings.

27 (e) Ensure that a developmental profile is completed for each  
28 child based upon observations of network staff, in collaboration  
29 with the provider, by doing at least all of the following:

30 (1) Collaboratively completing the developmental child  
31 assessment profile selected by the department. The contractor’s  
32 child development specialist shall sign the developmental profile.

33 (2) Utilizing the developmental ~~portfolio~~ *portfolio, as described*  
34 *in paragraph (9) of subdivision (b) of Section 8245,* maintained  
35 by the provider, including provider observations of each child.

36 ~~(3) Ensuring that parent conferences are offered to the parent~~  
37 ~~of each enrolled child. The parent may decline a parent conference.~~

38 ~~(4)~~

- 1 (3) Conducting a parent survey concerning his or her child’s
- 2 developmental progress as directed by the department and
- 3 incorporate it into the developmental profile.
- 4 (f) *Ensure that parent conferences are offered to the parent of*
- 5 *each enrolled child. The parent may decline a parent conference.*
- 6 ~~(f)~~
- 7 (g) Monitor requirements, including quality standards, and
- 8 conduct periodic assessments of program quality in each family
- 9 child care home affiliated with the network.
- 10 ~~(g)~~
- 11 (h) Ensure that basic health and nutrition requirements are met.
- 12 ~~(h)~~
- 13 (i) Provide data and reporting in accordance with contract
- 14 requirements.
- 15 ~~(i)~~
- 16 (j) Conduct a minimum of nine site visits to each affiliated
- 17 provider in a calendar year for purposes of conducting assessments
- 18 and providing technical assistance, training, and support.
- 19 ~~(j)~~
- 20 (k) Support the affiliated providers in meeting the standards for
- 21 program quality by reviewing, observing, and assessing the
- 22 providers’ program components, and providing technical assistance,
- 23 training, and coaching.
- 24 ~~(k)~~
- 25 (l) Offer providers at least 12 hours of training and technical
- 26 assistance in group or individual settings. Trainings may include,
- 27 but are not limited to, the following:
- 28 (1) Age and developmentally appropriate educational practices
- 29 and activities for children.
- 30 (2) Appropriate care and supervision of children.
- 31 (3) Parenting and parent involvement in the development of
- 32 children.
- 33 (4) Menu planning and nutrition information, unless this is
- 34 provided by a United States Department of Food and
- 35 Agriculture-funded program.
- 36 (5) Provider and family communication.
- 37 (6) Understanding the developmental measures of the
- 38 developmental profile child assessment instrument.

1 (7) Individualizing the provider’s program to meet the needs of  
2 each child in the provider’s care by using the results of the  
3 developmental profile.

4 ~~(t)~~

5 (m) Implement a universal complaint procedure that complies  
6 with regulations adopted by the department. Contractors shall  
7 include in their universal complaint procedure the right of a  
8 provider to file a complaint alleging that the provider has been  
9 inappropriately deemed by the contractor to be unqualified to be  
10 affiliated with the family child care home education network, and  
11 therefore the contractor has terminated the provider’s participation  
12 in the network. This subdivision does not prevent the contractor  
13 from immediately terminating the provider’s participation in the  
14 network if the provider’s child care license has been revoked,  
15 suspended, or placed on probationary status by the Community  
16 Care Licensing Division of the State Department of Social Services,  
17 or if the contractor finds that children may not be safe in the  
18 provider’s home.

19 ~~(m)~~

20 (n) Employ at least one child development specialist, who shall  
21 have educational qualifications equivalent to a child development  
22 teacher permit, to provide training, technical assistance, and  
23 coaching to providers. Notwithstanding any other law, family child  
24 care home education network contractors shall not be required to  
25 employ individuals with child development teacher permits.

26 ~~(n)~~

27 (o) Maintain a signed, written agreement with each affiliated  
28 provider and an authorized representative of the family child care  
29 home education network. The agreement shall include, but not be  
30 limited to, all of the following:

31 (1) The provider’s status as an independent contractor with the  
32 family child care home education network.

33 (2) The provider’s nondiscrimination policy.

34 (3) The established reimbursement rates.

35 SEC. 3. Section 8247 of the Education Code is repealed.

36 SEC. 4. Section 8247 is added to the Education Code, to read:

37 8247. (a) A provider in a family child care home education  
38 network shall adopt and use a curriculum or curricula, of the  
39 provider’s choosing, appropriate for the age range of children in  
40 the home.

1 (b) In order to ensure educational quality for children, the  
 2 contractor may adopt a policy limiting the curricula acceptable  
 3 within its network. The policy shall include not less than three  
 4 curricula, and the contractor may approve provider developed  
 5 curricula if they are educational and appropriate for the age ranges  
 6 of children in the homes.

7 SEC. 5. Section 8248 is added to the Education Code, to read:  
 8 8248. (a) A provider shall do all of the following:

9 (1) Provide age and developmentally appropriate educational  
 10 activities for children.

11 (2) Provide care and supervision of children.

12 (3) Provide parenting education to parents. Parenting education  
 13 may include, but is not limited to, general program information  
 14 and formal or informal parent conferences and exchange of  
 15 information about the development, needs, and skills of the parents'  
 16 child or children.

17 (4) Identify child and family social service or health needs, and  
 18 share those needs with the contractor.

19 (5) Provide nutrition that is consistent with standards of the  
 20 Child and Adult Care Food Program of the United States  
 21 Department of Agriculture.

22 (6) Collaborate with the contractor in completion of the  
 23 developmental profile for each child, including doing all of the  
 24 following:

25 (A) Collaborating in completion of the developmental profile  
 26 child assessment instrument.

27 (B) Maintaining a developmental portfolio, *as described in*  
 28 *paragraph (9) of subdivision (b) of Section 8245*, for each child  
 29 that includes items produced by the child.

30 (C) Maintaining observations of the child, and other  
 31 documentation of the child's skills.

32 (D) Conducting or participating in parent conferences, per  
 33 contractor policies.

34 (7) Provide the contractor with copies of all citations issued to  
 35 the provider by the Community Care Licensing Division of the  
 36 State Department of Social Services within five calendar days of  
 37 the issuing date of the citation.

38 (8) Obtain no less than 12 hours of professional training per  
 39 year, and maintain documentation of the training for three years.  
 40 Training may include group or individual training provided by the

1 contractor, or training provided by other qualified individuals or  
2 organizations.

3 (b) A provider may, but is not required to, encourage parent  
4 involvement in the provider's home program.

5 (c) A provider is not required to maintain a parent advisory  
6 committee, as required by center contractors.

O