

AMENDED IN ASSEMBLY JANUARY 21, 2016

AMENDED IN ASSEMBLY JANUARY 14, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 598**

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**Introduced by Assembly Member ~~Rendon~~ Calderon**  
**(Coauthor: Assembly Member Rendon)**

February 24, 2015

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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~~ Calderon. 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.

1 (4) Identification of child and family social or health needs and  
2 referral of the child or the family to the appropriate social or health  
3 services.

4 (5) Nutrition.

5 (6) Training and support for the family child care home  
6 education network's family home providers and staff.

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

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

12 (9) Maintenance of a folder, known as a developmental portfolio,  
13 for each child that includes, among other items, a child's work  
14 product and observations of the child by the provider, the child  
15 development specialist, or both.

16 (10) Parent involvement.

17 SEC. 2. Section 8246 of the Education Code is amended to  
18 read:

19 8246. A family child care home education network contractor,  
20 in addition to the requirements set forth in subdivision (b) of  
21 Section 8245, shall do all of the following:

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

23 (b) Recruit, train, support, and reimburse licensed family home  
24 providers.

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

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

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

33 (1) Collaboratively completing the developmental child  
34 assessment profile selected by the department. The contractor's  
35 child development specialist shall sign the developmental profile.

36 (2) Utilizing the developmental portfolio, as described in  
37 paragraph (9) of subdivision (b) of Section 8245, maintained by  
38 the provider, including provider observations of each child.

- 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 (g) Monitor requirements, including quality standards, and  
7 conduct periodic assessments of program quality in each family  
8 child care home affiliated with the network.
- 9 (h) Ensure that basic health and nutrition requirements are met.
- 10 (i) Provide data and reporting in accordance with contract  
11 requirements.
- 12 (j) Conduct a minimum of nine site visits to each affiliated  
13 provider in a calendar year for purposes of conducting assessments  
14 and providing technical assistance, training, and support.
- 15 (k) Support the affiliated providers in meeting the standards for  
16 program quality by reviewing, observing, and assessing the  
17 providers' program components, and providing technical assistance,  
18 training, and coaching.
- 19 (l) Offer providers at least 12 hours of training and technical  
20 assistance in group or individual settings. Trainings may include,  
21 but are not limited to, the following:
- 22 (1) Age and developmentally appropriate educational practices  
23 and activities for children.
- 24 (2) Appropriate care and supervision of children.
- 25 (3) Parenting and parent involvement in the development of  
26 children.
- 27 (4) Menu planning and nutrition information, unless this is  
28 provided by a United States Department of Food and  
29 Agriculture-funded program.
- 30 (5) Provider and family communication.
- 31 (6) Understanding the developmental measures of the  
32 developmental profile child assessment instrument.
- 33 (7) Individualizing the provider's program to meet the needs of  
34 each child in the provider's care by using the results of the  
35 developmental profile.
- 36 ~~(m) Implement a universal complaint procedure that complies~~  
37 ~~with regulations adopted by the department. Contractors shall~~  
38 ~~include in their universal complaint procedure the right of a~~  
39 ~~provider to file a complaint alleging that the provider has been~~  
40 ~~inappropriately deemed by the contractor to be unqualified to be~~

1 ~~affiliated with the family child care home education network, and~~  
2 ~~therefore the contractor has terminated the provider's participation~~  
3 ~~in the network. This subdivision does not prevent the contractor~~  
4 ~~from immediately terminating the provider's participation in the~~  
5 ~~network if the provider's child care license has been revoked,~~  
6 ~~suspended, or placed on probationary status by the Community~~  
7 ~~Care Licensing Division of the State Department of Social Services,~~  
8 ~~or if the contractor finds that children may not be safe in the~~  
9 ~~provider's home.~~

10 ~~(n)~~

11 (m) Employ at least one child development specialist, who shall  
12 have educational qualifications equivalent to a child development  
13 teacher permit, to provide training, technical assistance, and  
14 coaching to providers. Notwithstanding any other law, family child  
15 care home education network contractors shall not be required to  
16 employ individuals with child development teacher permits.

17 ~~(o)~~

18 (n) Maintain a signed, written agreement with each affiliated  
19 provider and an authorized representative of the family child care  
20 home education network. The agreement shall include, but not be  
21 limited to, all of the following:

22 (1) The provider's status as an independent contractor with the  
23 family child care home education network.

24 (2) The provider's nondiscrimination policy.

25 (3) The established reimbursement rates.

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

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

28 8247. (a) A provider in a family child care home education  
29 network shall adopt and use a curriculum or curricula, of the  
30 provider's choosing, appropriate for the age range of children in  
31 the home.

32 (b) In order to ensure educational quality for children, the  
33 contractor may adopt a policy limiting the curricula acceptable  
34 within its network. The policy shall include not less than three  
35 curricula, and the contractor may approve provider developed  
36 curricula if they are educational and appropriate for the age ranges  
37 of children in the homes.

38 SEC. 5. Section 8248 is added to the Education Code, to read:

39 8248. (a) A provider shall do all of the following:

- 1 (1) Provide age and developmentally appropriate educational  
2 activities for children.
- 3 (2) Provide care and supervision of children.
- 4 (3) Provide parenting education to parents. Parenting education  
5 may include, but is not limited to, general program information  
6 and formal or informal parent conferences and exchange of  
7 information about the development, needs, and skills of the parents’  
8 child or children.
- 9 (4) Identify child and family social service or health needs, and  
10 share those needs with the contractor.
- 11 (5) Provide nutrition that is consistent with standards of the  
12 Child and Adult Care Food Program of the United States  
13 Department of Agriculture.
- 14 (6) Collaborate with the contractor in completion of the  
15 developmental profile for each child, including doing all of the  
16 following:
  - 17 (A) Collaborating in completion of the developmental profile  
18 child assessment instrument.
  - 19 (B) Maintaining a developmental portfolio, as described in  
20 paragraph (9) of subdivision (b) of Section 8245, for each child  
21 that includes items produced by the child. *A copy of this portfolio*  
22 *shall be shared with the family child care home education network*  
23 *contractor for purposes of department review.*
  - 24 (C) Maintaining observations of the child, and other  
25 documentation of the child’s skills.
  - 26 (D) Conducting or participating in parent conferences, per  
27 contractor policies.
- 28 (7) Provide the contractor with copies of all citations issued to  
29 the provider by the Community Care Licensing Division of the  
30 State Department of Social Services within five calendar days of  
31 the issuing date of the citation.
- 32 (8) Obtain no less than 12 hours of professional training per  
33 year, and maintain documentation of the training for three years.  
34 Training may include group or individual training provided by the  
35 contractor, or training provided by other qualified individuals or  
36 organizations.
- 37 (b) A provider may, but is not required to, encourage parent  
38 involvement in the provider’s home program.

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

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