

AMENDED IN SENATE MAY 31, 2016

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

**Introduced by Assembly Member Calderon
(Coauthor: 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, 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~~, *components*, 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 *settings and* would require a family child care home education network *program* to include the maintenance of a developmental ~~portfolio~~, *portfolio for each child*, 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.~~

~~*Existing law imposes various requirements on family child care home education network contractors, including ensuring that a developmental profile is completed for each child.*~~

~~*This bill would impose additional requirements on those contractors, including that the developmental profiles specified above be completed in accordance with the provider's observations, conducting site visits, and offering training and technical assistance, as specified.*~~

~~This bill would delete ~~this law~~: a provision specifying that the provisions relating to family child care home education networks do not impose any new requirements on a family child care home education network or require any increase in reimbursement rates.~~

~~The bill would ~~require a provider in a~~ also impose various duties on family child care home education network providers, including requiring those providers 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 *and to provide* 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~~ *authorized* entities to
5 operate family child care home education networks that support
6 educational objectives for children in licensed family child care
7 homes that 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.~~

17 (5) *Nutrition education and training.*

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

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

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

25 (9) Maintenance of a folder, known as a developmental portfolio,
26 for each child that includes, among other items, a child's work
27 product and observations of the ~~child by the provider, the child
28 development specialist, or both.~~ *child.*

29 (10) *Parent Opportunities for parent* involvement.

30 SEC. 2. Section 8246 of the Education Code is amended to
31 read:

32 8246. (a) A family child care home education network
33 contractor, in addition to the requirements set forth in subdivision
34 (b) of Section 8245, shall do all of the following:

35 ~~(a)~~

36 (1) Recruit, enroll, and certify eligible families.

37 ~~(b)~~

- 1 (2) Recruit, train, support, and reimburse licensed family home
- 2 providers.
- 3 (e)
- 4 (3) ~~Collect~~ *Ensure collection of family fees in accordance with*
- 5 *contract requirements.*
- 6 (d)
- 7 (4) Assess, according to standards set by the department, the
- 8 educational quality of the program offered in each family child
- 9 care home in the network using assessment tools that are
- 10 appropriate to family child care home settings.
- 11 (e)
- 12 (5) ~~Ensure that~~ *Complete a developmental profile is completed*
- 13 *for each child based upon observations of network staff, and in*
- 14 ~~collaboration~~ *accordance with the—provider, provider’s*
- 15 *observations, by doing at least all both of the following:*
- 16 (1)
- 17 (A) ~~Collaboratively~~ *In consultation with the provider, completing*
- 18 *the developmental child assessment profile selected by the*
- 19 *department. The contractor’s child development specialist shall*
- 20 *sign the developmental profile.*
- 21 (2)
- 22 (B) *Utilizing the developmental portfolio, as described in*
- 23 *paragraph (9) of subdivision (b) of Section 8245, maintained by*
- 24 *the provider, including provider observations of each child.*
- 25 (3) ~~Conducting~~
- 26 (6) ~~Conduct~~ *a parent survey concerning his or her child’s*
- 27 ~~developmental progress as directed by the department and~~
- 28 ~~incorporate it into the developmental profile.~~ *department.*
- 29 (f)
- 30 (7) *Ensure that parent conferences are offered to the parent of*
- 31 *each enrolled child. The parent may decline a parent conference.*
- 32 (g) ~~Monitor requirements, including quality standards, and~~
- 33 ~~conduct periodic assessments of program quality in each family~~
- 34 ~~child care home affiliated with the network.~~
- 35 (h) ~~Ensure that basic health and nutrition requirements are met.~~
- 36 (8) *Monitor each family child care home affiliated with the*
- 37 *network to ensure that requirements are met, including, but not*
- 38 *limited to, basic health, nutrition, and quality standards.*
- 39 (i)

- 1 (9) Provide data and reporting in accordance with contract
- 2 requirements.
- 3 ~~(j)~~
- 4 (10) Conduct ~~a minimum of nine~~ *no less than six* site visits to
- 5 each affiliated provider in a ~~calendar~~ *program* year for purposes
- 6 of conducting assessments and providing technical assistance,
- 7 training, and support.
- 8 ~~(k)~~
- 9 (11) Support the affiliated providers in meeting the standards
- 10 for program quality by reviewing, observing, and assessing the
- 11 providers' program components, and providing technical assistance,
- 12 training, and coaching.
- 13 ~~(l)~~
- 14 (12) Offer providers at least 12 hours *annually* of training and
- 15 technical assistance in group or individual settings. ~~Trainings~~
- 16 *Training* may include, but ~~are~~ *is* not limited to, the following:
- 17 ~~(1)~~
- 18 (A) Age and developmentally appropriate educational practices
- 19 and activities for children.
- 20 ~~(2)~~
- 21 (B) Appropriate care and supervision of children.
- 22 ~~(3) Parenting and parent involvement in the development of~~
- 23 ~~children.~~
- 24 (C) *Engaging parents in the program and providing parenting*
- 25 *information on age-appropriate child development and activities.*
- 26 ~~(4)~~
- 27 (D) Menu planning and nutrition ~~information, unless this is~~
- 28 ~~provided by a United States Department of Food and~~
- 29 ~~Agriculture-funded program.~~ *information.*
- 30 ~~(5)~~
- 31 (E) Provider and family communication.
- 32 ~~(6)~~
- 33 (F) Understanding the developmental measures of the
- 34 developmental profile child assessment instrument.
- 35 ~~(7)~~
- 36 (G) Individualizing the provider's program to meet the needs
- 37 of each child in the provider's care by using the results of the
- 38 developmental profile.
- 39 ~~(m)~~

1 (13) Employ at least one child development ~~specialist, who shall~~
 2 ~~have specialist who has~~ educational qualifications equivalent to a
 3 child development teacher permit, to provide training, technical
 4 assistance, and coaching to providers. Notwithstanding any other
 5 law, family child care home education network ~~contractors~~
 6 ~~providers~~ shall not be required to employ individuals with child
 7 development teacher permits.

8 ~~(14)~~
 9 (14) Maintain a signed, written agreement with each affiliated
 10 provider and an authorized representative of the family child care
 11 home education network. The agreement shall include, but not be
 12 limited to, all of the following:

13 ~~(1)~~
 14 (A) The provider’s status as an independent contractor with the
 15 family child care home education network.

16 ~~(2)~~
 17 (B) The provider’s nondiscrimination policy.

18 ~~(3)~~
 19 (C) The established reimbursement rates.

20 (b) A family child care home education network contractor is
 21 not required to maintain a parent advisory committee.

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

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

24 8247. (a) A provider in a family child care home education
 25 network shall adopt and use a curriculum or curricula, of the
 26 provider’s choosing, appropriate for the age range of children in
 27 the home.

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

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

35 8248. (a) A provider shall do all of the following:

36 (1) Provide age and developmentally appropriate educational
 37 activities for children.

38 (2) Provide care and supervision of children.

39 (3) Provide parenting education to parents. Parenting education
 40 may include, but is not limited to, general program information

1 and formal or informal parent conferences and exchange of
2 information about the development, needs, and skills of the parents’
3 child or children.

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

6 (5) Provide nutrition that is consistent with standards of the
7 Child and Adult Care Food Program of the United States
8 Department of Agriculture.

9 ~~Collaborate~~—*Work in consultation* with the contractor—~~in~~
10 ~~completion of~~ *to complete* the developmental profile for each child,
11 including doing all of the following:

12 (A) ~~Collaborating in completion of~~—*In consultation with the*
13 *contractor, complete* the developmental profile child assessment
14 instrument.

15 (B) ~~Maintaining~~—*Maintain* a developmental portfolio, as
16 described in paragraph (9) of subdivision (b) of Section 8245, for
17 each child that includes items produced by the child. A copy of
18 this portfolio shall be shared with the family child care home
19 education network contractor for purposes of department review.

20 (C) ~~Maintaining~~—*Maintain* observations ~~of the child~~, and other
21 documentation of the child’s skills.

22 (D) ~~Conducting or participating~~—*Conduct or participate* in parent
23 ~~conferences, conferences~~ per contractor policies.

24 (7) Provide the contractor with copies of all citations issued to
25 the provider by the Community Care Licensing Division of the
26 State Department of Social Services within five calendar days of
27 the issuing date of the citation.

28 (8) Obtain no less than 12 hours of professional training per
29 year, and maintain documentation of the training for three years.
30 Training may include group or individual training provided by the
31 contractor, or training provided by other qualified individuals or
32 organizations.

33 (b) A provider may, but is not required to, encourage parent
34 involvement in the provider’s ~~home~~ *family child care* program.

35 (c) A provider is not required to maintain a parent advisory
36 ~~committee, as required by center contractors.~~ *committee.*