

AMENDED IN SENATE JUNE 1, 2015

AMENDED IN SENATE APRIL 14, 2015

SENATE BILL

No. 548

Introduced by Senator De León

(Coauthors: Senators Hancock and Jackson)

~~(Coauthor: Coauthors: Assembly Member Members Atkins and Weber)~~

February 26, 2015

An act to add Article 19.5 (commencing with Section 8430) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

SB 548, as amended, De León. Child care: family child care providers: bargaining ~~representatives~~. *representative*.

Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of family day care homes by the State Department of Social Services. Existing law, the Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age, including, among others, resource and referral programs, alternative payment programs, and family child care home education networks.

This bill would authorize family child care providers, as defined, to form, join, and participate in the activities of provider organizations, as defined, and to seek the certification of a provider organization to act as the exclusive representative for family child care providers on matters related to state-funded child care programs pursuant to a petition

and election process overseen by the Public Employment Relations Board or a neutral 3rd party designated by the board.

The bill would require the State Department of Social Services and the State Department of Education, with the assistance of specified state departments and agencies, and their contractors and subcontractors, to make specified information regarding family child care providers available to provider organizations, and would require the provider organization requesting the information to bear the costs of collecting the information, as provided.

The bill would establish the scope of representation of the certified provider organization, and would require the Governor, through the Department of Human Resources, in consultation with the Superintendent of Public Instruction and other entities, to meet and confer in good faith with the certified provider organization on all matters within that scope of representation. The bill would require the parties to jointly prepare a memorandum of understanding if agreement is reached, which would be binding on all state departments and agencies, and their contractors and subcontractors, that are involved in the administration of state-funded child care programs. The bill would authorize the parties, if, after a reasonable period of time they fail to reach agreement, to agree to submit unresolved issues to the California State Mediation and Conciliation Service for mediation or binding arbitration, and would authorize either party to declare that an impasse has been reached and request the Public Employment Relations Board to appoint a mediator or arbitrator from the service to perform mediation or binding arbitration.

The bill would authorize a certified provider organization to enter into an agreement with the state that provides that the state will require entities that make subsidy payments to providers, including the contractors or subcontractors of state agencies and departments, to deduct membership dues and other voluntary deductions from those subsidy payments. The bill would prohibit provider organizations from calling strikes. The bill would prohibit the state and provider organizations from engaging in specified prohibited behavior with each other and providers.

The bill would require the Governor or his or her designee to perform a study of best practices for engaging families in their children's early care and education in family child care settings, as provided, and would require the Governor or his or her designee to report to the Legislature and the Department of Finance on or before January 1, 2017, with his

or her findings and a proposed framework of priorities in which to invest.

The bill would require a certified provider organization and the state to form a ~~Joint Committee Partnership~~ on Child Care Training, Education, and Quality Improvement made up of specified individuals. Among other things, the bill would require the ~~committee partnership~~ to identify gaps in the training available to family child care providers and barriers that prevent family child care providers from gaining greater skills and accessing postsecondary education, and issue recommendations on an annual basis to improve the quality of care offered by licensed and licensed-exempt family child care providers. The bill would require the *certified* provider organization to ~~establish a training program~~ to carry out the recommendations of the ~~committee partnership~~.

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) Quality, affordable child care is essential to prepare
- 4 California's children to succeed in school and in life and to allow
- 5 families to work and contribute to the state's economy with the
- 6 assurance that their children are safe, well cared for, and learning.
- 7 (b) Family child care is the child care setting of choice for many
- 8 families because of its warm homelike environment, convenience,
- 9 and affordability. The flexibility offered by many family child care
- 10 providers is particularly vital to low-wage workers who are subject
- 11 to highly unpredictable work schedules, and to the many California
- 12 workers who work nontraditional hours and need child care on
- 13 evenings, overnights, and weekends. Close to 40 percent of licensed
- 14 family child care homes offer evening, weekend, and overnight
- 15 care, compared with only 2 percent of centers.
- 16 (c) Family child care providers are small business owners who
- 17 contribute significantly to the economies of their communities and
- 18 the state. As businesses, family child care providers are engines
- 19 for economic growth, generating 100,000 direct and indirect jobs,
- 20 three billion five hundred million dollars (\$3,500,000,000) in
- 21 economic output, and five hundred fifty million dollars

1 (\$550,000,000) in tax revenues. Family child care providers also
2 contribute to the economy by serving as a vital job support for
3 working families.

4 (d) There is a need to improve the quality of child care and to
5 increase stability in the industry that is charged with providing
6 safe and quality care for children in California. Turnover among
7 child care providers is estimated at more than 30 percent per year,
8 more than four times higher than among teachers in the public
9 school system. Losing a caregiver leaves working parents
10 scrambling to find other arrangements and disrupts the children's
11 cognitive and social development, putting them at a disadvantage
12 when it is time for them to start school.

13 (e) Experienced child care providers who care for children under
14 California's state-funded child care program are leaving the
15 profession because extremely low reimbursement rates and a lack
16 of access to employment benefits mean they cannot afford to
17 provide for their own families. The state's fragmented, disorganized
18 system for paying child care providers under the state-funded child
19 care program, in which more than 120 different agencies contract
20 with the state to pay child care providers, also contributes to this
21 turnover. Child care providers' pay is often late, reduced, or does
22 not arrive at all, and there is a lack of clear authority and redress
23 when problems arise.

24 (f) The supply of quality child care in California is inadequate
25 to meet the demand. Since 2008, the state has seen a decline of
26 almost 26 percent in the number of licensed family child care
27 homes. California lost over 11,000 licensed family child care
28 providers and over 61,000 slots for children in these homes. In
29 2012, there was licensed child care capacity for only 25 percent
30 of children of working parents.

31 (g) In order to address one of the areas of greatest need in the
32 state-funded child care program, to improve developmental and
33 educational outcomes for children in poverty, and to build off the
34 goals of the local control funding formula, additional slots for
35 California's neediest children must be added.

36 (h) Family child care providers' role in the state's child care
37 program gives them unique insight into how quality, access, and
38 stability could be improved for children and families. For the last
39 several years, child care providers have worked together with the
40 State Department of Education to make improvements to the state's

1 requirements for timeliness of payment and communications with
2 child care providers and families. This progress shows the value
3 that child care provider voices can add. But it also highlights the
4 need for child care providers to have a formal role in
5 decisionmaking on issues that shape the child care system and the
6 way they carry out their profession.

7 (i) To promote higher quality and greater access and stability
8 in the child care system, it is necessary to enact legislation to grant
9 family child care providers the right to choose a representative to
10 negotiate with the state over the operation of the state-funded child
11 care program. Permitting family child care providers a formal
12 voice will allow the state to get input from providers and to
13 maximize its return on its investment in child care, and will allow
14 providers to advocate to improve the quality, access, and stability
15 of care available to California's children and families.

16 (j) The existing system for providing training to child care
17 providers is a patchwork. Training is provided by hundreds of
18 different entities and is challenging to access for large numbers of
19 child care providers. Family child care providers also face
20 particular barriers to gaining greater skills and accessing
21 postsecondary education, including language barriers, scheduling
22 of classes that are incompatible with the operation of their family
23 child care homes, and lack of access to tutoring and mentoring.
24 Consistent with the state's focus on the improvement and expansion
25 of workforce development and apprenticeships, a training
26 partnership between the state and a certified provider organization
27 will be able to draw down federal and private funding to add
28 capacity to existing state training resources, from general education
29 classes (GED) and English language learner (ELL) classes to
30 providing support for child care providers who seek to obtain
31 higher education credentials in child development. This training
32 partnership will help build skills, knowledge, and techniques to
33 provide higher quality early learning for family child care providers
34 as well as center or school-based care providers. Financial
35 incentives, such as rate add-ons for child care providers who obtain
36 additional training or who complete apprenticeship programs, will
37 encourage participation, acknowledge additional skill, and help
38 ensure that child care providers with greater training remain serving
39 at-risk children.

(k) Parent engagement is a crucial part of children's success in early care, ~~in-school~~ *school*, and later in life. Family child care providers' role in the state's child care program gives them unique insight into how quality, access, and stability could be improved for children and families. Many parents choose home-based child care providers due to shared values and culture, close personal relationships, and provider flexibility with erratic work schedules. Accordingly, pursuant to Section 8439 of the Education Code, the Governor or his or her designee shall perform a study of best practices for culturally competent parent engagement in family child care, including in particular engagement of parents who work nontraditional hours. The study shall determine how to most effectively ensure that parents are involved with their children's development and are better able to provide learning and other developmental opportunities for their children at home in a culturally appropriate manner. The goal of the study will be to identify best practices that target low-income families and to propose some options for a California parent engagement program as well as identify possible funding sources for such work.

SEC. 2. Article 19.5 (commencing with Section 8430) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 19.5. Raising Child Care Quality and Accessibility Act

8430. This article shall be known, and may be cited, as the Raising Child Care Quality and Accessibility Act.

8430.5. (a) The purpose of this article is to promote quality, access, and stability in the child care system by increasing the number of child care slots available to California's neediest children; by authorizing an appropriate unit of family child care providers to choose a provider organization to act as their exclusive representative for purposes of the meet and confer process set forth in this article and the administration and enforcement of any resulting memorandum of understanding; by establishing a training partnership between the state and that exclusive representative; and by conducting a study of best practices for parent engagement in home-based early care and education. It is also the purpose of this article to promote full communication between family child care providers and the state by permitting a provider organization

1 certified as the representative of family child care providers to
2 meet and confer with the state regarding the state's child care
3 system.

4 (b) This article does not change the family child care providers'
5 status as independent business owners or classify family child care
6 providers as public employees.

7 8431. As used in this article:

8 (a) "Certified provider organization" means a provider
9 organization that is, or provider organizations that jointly are,
10 certified by the Public Employment Relations Board as the
11 exclusive representative of family child care providers in an
12 appropriate unit after a proceeding under Section 8434.

13 (b) "Family child care provider" or "provider" means a child
14 care provider that participates in a state-funded child care program
15 and is either of the following:

16 (1) A family day care home provider, as described in Section
17 1596.78 of the Health and Safety Code, who is licensed pursuant
18 to the requirement in Section 1596.80 of the Health and Safety
19 Code.

20 (2) An individual who meets both of the following criteria:

21 (A) Provides child care in his or her own home or in the home
22 of the child receiving care.

23 (B) Is exempt from licensing requirements pursuant to Section
24 1596.792 of the Health and Safety Code.

25 (c) "Maintenance of checkoff" means an agreement between a
26 provider and a provider organization that the provider's
27 authorization for the deduction of union dues or their equivalent
28 can only be withdrawn during a designated window period.

29 (d) "Provider organization" means an organization that has all
30 of the following characteristics:

31 (1) Includes family child care providers as members.

32 (2) Has as one of its main purposes the representation of family
33 child care providers in their relations with public or private entities
34 in California and the terms of their participation in state-funded
35 child care programs.

36 (3) Is not an entity that contracts with the state or a county to
37 administer or process payments for a state-funded child care
38 program.

39 (e) "Public Employment Relations Board" or "board" means
40 the Public Employment Relations Board established pursuant to

1 Section 3541 of the Government Code. The powers and duties of
2 the board described in Sections 3514.5, 3520.5, and 3541.3 of the
3 Government Code, and the respective implementing regulations,
4 shall apply, as appropriate, to this article to the extent those
5 procedures are not inconsistent with the procedures specified in
6 this article. If a provision of this article is the same or substantially
7 the same as that contained in Chapter 10 (commencing with Section
8 3500), Chapter 10.3 (commencing with Section 3512), or Chapter
9 10.7 (commencing with Section 3540) of Division 4 of Title 1 of
10 the Government Code, it shall be interpreted and applied in
11 accordance with the *regulations and* judicial interpretations of the
12 provision in those statutes.

13 (f) “State-funded child care program” means a program
14 administered by the State Department of Education, the State
15 Department of Social Services, or another department, agency, or
16 political subdivision of the state, including programs established
17 subsequent to the passage of this article, to subsidize early learning
18 and care for children, but not including the public education system.

19 8431.5. The state action antitrust exemption to the application
20 of federal and state antitrust laws is applicable to the activities of
21 family child care providers and their representatives authorized
22 under this article.

23 8432. Family child care providers have the right to form, join,
24 and participate in the activities of provider organizations of their
25 own choosing for the purpose of being represented in all matters
26 specified in this article. Family child care providers have the right
27 to refuse to join or participate in the activities of provider
28 organizations. This article does not change the rights of family
29 child care providers to represent themselves individually in their
30 relations with the state, agencies or departments of the state,
31 contractors of the state, parents, or others, or their rights to speak
32 to and petition the government with respect to all aspects of the
33 state’s child care program or any other topic.

34 8432.5. Family child care providers are not public employees,
35 and this article does not create an employer-employee relationship
36 between family child care providers and the state or a public or
37 private nonprofit entity for any purpose, including, but not limited
38 to, eligibility for health or retirement benefits or vicarious liability
39 in tort. This article does not alter the status of a family child care

1 provider as a business owner, an employee of a family, or a
2 contractor.

3 8433. This article does not alter the rights of families to select,
4 direct, and terminate the services of family child care providers.

5 8433.5. (a) Within 10 days of receipt of a request from a
6 provider organization, the State Department of Social Services
7 shall make available to that provider organization information
8 regarding family child care providers described in paragraph (1)
9 of subdivision (b) of Section 8431, including each provider's name,
10 home address, mailing address, telephone number, email address,
11 *if known*, and license number.

12 (b) Within 30 days of receipt of a request from a provider
13 organization, the State Department of Education, with the
14 assistance of the State Department of Social Services and any state
15 department or agency, or its contractor or subcontractor, in
16 possession of the relevant information, shall collect information
17 regarding family child care providers, including each provider's
18 name, home address, mailing address, telephone number, email
19 address, *if known*, unique provider identification number, if
20 applicable, and shall make that information available to the
21 provider organization. The provider organization shall bear the
22 reasonable costs of collecting the information described in this
23 subdivision to the extent that the state is not already collecting it
24 and is not already required by federal or state law or regulation to
25 collect it.

26 (c) Upon the request of a certified provider organization, the
27 State Department of Social Services and the State Department of
28 Education shall make available to that organization the information
29 specified in subdivisions (a) and (b), updated on a monthly basis.

30 (d) A provider organization under this article shall be considered
31 a *family* day care organization for purposes of subdivisions (b) and
32 (c) of Section 1596.86 of the Health and Safety Code. All
33 confidentiality requirements applicable to recipients of information
34 pursuant to Section 1596.86 of the Health and Safety Code apply
35 to provider organizations and shall apply also to protect the
36 personal information of family child care providers as defined in
37 paragraph (2) of subdivision (b) of Section 8431. Information
38 provided pursuant to this section shall be used only for purposes
39 of organizing and representing family child care providers.

(e) Upon written request of a family child care provider, the State Department of Education and the State Department of Social Services shall remove the family child care provider's home address and home telephone number from the mailing lists referenced in subdivisions (a), (b), and (c) before to the release of the lists.

8434. (a) ~~The~~*An* appropriate unit of family child care providers, as described in subdivision (e), may designate, in accordance with ~~the provisions of~~ this article, the provider organization, if any, that shall be its exclusive representative. The board shall certify a provider organization designated by an appropriate unit of family child care providers as the exclusive representative of those providers.

(b) Requests for elections, challenges, ~~and~~ competing claims, requests for intervention, and requests for decertification shall be filed with, received by, and acted upon by the board, *in accordance with its rules and regulations*, provided that a valid petition for a certification or decertification election is resolved by a secret ballot election among family child care providers. The board may designate a neutral third party to act on any of the requests filed with the board pursuant to this subdivision.

~~(e) The provider organization that presents a petition requesting certification shall pay the reasonable costs of verifying the number of family child care providers that have designated a provider organization to act as their exclusive representative. The~~

(c) A provider organization petitioning for an election to be certified by the board as the exclusive representative for an appropriate group of providers shall include in its petition proof of a 30 percent showing of interest designating the provider organization to act as the exclusive representative of the providers. The provider organization shall pay the reasonable costs of verifying this showing of interest. The board, or a neutral third party designated by the board to act on a request for certification
~~an election, shall consider a document evidencing a family child care provider's support support, or lack of support, for a provider organization valid if it was signed by the family child care provider within two years of the date it is submitted to the board.~~

(d) All provider organizations placed on the ballot shall share equally the cost of an election.

1 ~~(e) The only appropriate unit shall consist of all family child~~
2 ~~care providers in the state.~~

3 *(e) There shall be no more than one bargaining unit at any time.*
4 *A unit of providers shall be considered an appropriate unit if it is*
5 *a statewide unit and is any of the following:*

6 *(1) All family child care providers in the state.*

7 *(2) All family child care providers described in paragraph (1)*
8 *of subdivision (b) of Section 8431.*

9 *(3) All family child care providers described in paragraph (2)*
10 *of subdivision (b) of Section 8431.*

11 *(f) A certified provider organization shall represent each*
12 *provider in the represented unit fairly with respect to matters within*
13 *the scope of the certified provider organization's role as exclusive*
14 *representative of the bargaining unit, without discrimination and*
15 *without regard to whether the provider is a member of the provider*
16 *organization.*

17 *(g) A certified provider organization may file a request with the*
18 *board for an election to add providers to an existing unit, to be*
19 *voted on by a group of providers proposed to be added to the unit,*
20 *based on a showing of interest by 30 percent of the providers*
21 *proposed to be added to the unit, at any point after the provider*
22 *organization has been certified as an exclusive representative.*
23 *This article does not require a one-year waiting period after the*
24 *provider organization has been certified as an exclusive*
25 *representative before the election, authorized pursuant to this*
26 *subdivision, can be held.*

27 8434.5. The scope of representation shall include all of the
28 following:

29 (a) The administration of laws and regulations governing
30 licensing for providers.

31 (b) Joint labor-management committees.

32 (c) Contract grievance arbitration.

33 (d) Expanded access to professional development and training
34 opportunities for providers, including, but not limited to, through
35 the training partnership established pursuant to Section 8439.5,
36 and state contributions to *carry out the recommendations of the*
37 *training partnership.*

38 (e) Benefits for providers.

39 (f) Payment procedures for state-funded child care programs.

1 (g) Reimbursement rates, including, but not limited to, rate
2 add-ons for providers who complete additional training, and other
3 economic matters.

4 (h) Expanded access to and funding for food and nutrition
5 programs.

6 (i) The deduction of membership dues and other voluntary
7 deductions authorized by individual family child care providers,
8 including, but not limited to, honoring maintenance of checkoff
9 agreements, and allocation of the costs of implementing such a
10 deduction system.

11 (j) Expanded access to the state-funded child care program to
12 families in need of subsidies.

13 (k) Any changes to current practice other than those listed in
14 subdivisions (a) to (j), inclusive, that would do any of the
15 following:

16 (1) Improve recruitment and retention of qualified providers.

17 (2) Improve the quality of the programs.

18 (3) Encourage qualified providers to seek additional education
19 and training.

20 (4) Promote the health and safety of providers and the children
21 in their care.

22 8435. (a) The Governor, through the Department of Human
23 Resources, in consultation with the Superintendent, other state
24 agencies that administer state-funded child care programs, and
25 their contractors, as needed, shall meet and confer in good faith
26 regarding all matters within the scope of representation with
27 representatives of a certified provider organization and, before
28 arriving at a determination of policy or course of action, shall
29 consider fully the presentations made by the certified provider
30 organization on behalf of the providers it represents.

31 (b) As used in this section, “meet and confer in good faith”
32 means that the Governor, through the Department of Human
33 Resources, and representatives of the certified provider
34 organization shall have the mutual obligation to meet and confer
35 promptly upon request by either party and continue for a reasonable
36 period of time in order to exchange freely information, opinions,
37 and proposals. The duty to meet and confer in good faith also
38 requires the parties to begin negotiations sufficiently in advance
39 of the adoption of the state’s final budget for the ensuing fiscal
40 year so that there is adequate time for agreement to be reached

1 before the adoption of the final budget and for the resolution of
2 an impasse.

3 8435.5. (a) If agreement is reached between the Governor,
4 through the Department of Human Resources, and the certified
5 provider organization, they jointly shall prepare a written
6 memorandum of understanding. Any portions of the memorandum
7 of understanding requiring appropriation by the Legislature or
8 statutory or regulatory revisions shall be subject to legislative
9 approval of those appropriations or statutory or regulatory
10 revisions.

11 (b) A memorandum of understanding between the Governor,
12 through the Department of Human Resources, and the certified
13 provider organization is binding on all state departments and
14 agencies that are involved in the administration of the state-funded
15 child care program, and the relevant contractors or subcontractors
16 of those departments and agencies.

17 (c) An agreement pursuant to this section may provide for
18 binding arbitration of grievances concerning the interpretation,
19 application, or violation of the agreement.

20 (d) This article does not alter the requirements governing the
21 child care reimbursement system that are set forth in Section 8222.

22 8436. (a) A certified provider organization shall have the right
23 to enter into an agreement with the state that provides that the state
24 will require entities that make subsidy payments to providers,
25 including the contractors or subcontractors of state agencies and
26 departments, to deduct membership dues and other voluntary
27 deductions from those subsidy payments.

28 (b) If the deduction of membership dues or other voluntary
29 deductions for a provider requires action by more than one agency,
30 department, contractor, or subcontractor, the certified provider
31 organization shall establish procedures to ensure both of the
32 following:

33 (1) The total amount deducted does not exceed the total dues
34 and other voluntary deductions owed by that provider.

35 (2) The administrative procedures for deducting dues and other
36 voluntary deductions are reasonable.

37 (c) The state, its agencies and departments, and their contractors
38 and subcontractors shall not be liable in any action by a provider
39 seeking recovery of, or damage for, improper calculation or use
40 of dues or other voluntary deductions.

1 8436.5. (a) It is unlawful for the state, including its agencies,
2 boards, commissions, departments, public benefit corporations,
3 political subdivisions, contractors, subcontractors, or employees,
4 to do to the providers or provider organizations any of the things
5 made unlawful under Section 3519 of the Government Code.

6 (b) It shall be unlawful for a provider organization to do to the
7 state or to the providers any of the things made unlawful under
8 Section 3519.5 of the Government Code.

9 (c) For purposes of subdivisions (a) and (b), the references in
10 subdivision (e) of Section 3519 of, and subdivision (d) of Section
11 3519.5 of, the Government Code to “the mediation procedure set
12 forth in Section 3518” shall be deemed to refer to the impasse
13 procedures set forth in Section 8437.5.

14 (d) The initial determination as to whether charges of unfair
15 practices are justified and, if so, what remedy is necessary to
16 effectuate the purposes of this article shall be a matter within the
17 exclusive jurisdiction of the board.

18 8437. A provider organization shall not direct or call a strike.

19 8437.5. If after a reasonable period of time the parties fail to
20 reach agreement, the parties may agree to submit unresolved issues
21 to the California State Mediation and Conciliation Service
22 established by the Department of Industrial Relations for mediation
23 or binding arbitration, or either party may declare that an impasse
24 has been reached and request the board to appoint a mediator or
25 an arbitrator from the California State Mediation and Conciliation
26 Service to perform mediation or binding arbitration. A
27 memorandum of understanding reached by means of mediation or
28 arbitration is subject to appropriation by the Legislature and
29 necessary statutory and regulatory revisions.

30 8438. ~~If orientations preservice or orientation trainings~~ are
31 held for providers by the state or ~~any~~ a department, contractor,
32 agency, or political subdivision of the state, a certified provider
33 organization shall be permitted to make a brief presentation about
34 the organization and its activities, its negotiations and
35 memorandum of understanding, and membership at the ~~orientation~~.
36 ~~preservice or orientation trainings~~.

37 8438.5. It is the intent of the Legislature to create ____
38 additional slots in alternative payment voucher programs for
39 children living in extreme poverty, defined as 50 percent of the

1 federal poverty level, pending approval through the annual budget
2 process.

3 8439. (a) The Governor or his or her designee shall perform
4 a study of best practices for engaging families in their children's
5 early care and education in family child care settings, and of federal
6 and other funding streams that could support this work without
7 reducing the availability and affordability of child care in
8 California, and shall report to the Legislature and the Department
9 of Finance, on or before January 1, 2017, with its findings and a
10 proposed framework of priorities in which to invest. In performing
11 the study, the Governor or his or her designee shall consult with
12 stakeholders, including the State Department of Social Services,
13 First 5 California, and organizations that represent parents with
14 young children, particularly lower income and
15 non-English-speaking families, to consider how best to engage
16 and support those families in a culturally competent manner.

17 (b) (1) A report submitted to the Legislature pursuant to this
18 section shall be submitted in compliance with Section 9795 of the
19 Government Code.

20 (2) The requirement for submitting a report pursuant to this
21 section shall become inoperative on January 1, 2021, pursuant to
22 Section 10231.5 of the Government Code.

23 8439.5. (a) If a provider organization is certified pursuant to
24 Section 8434, the state and the certified provider organization shall
25 establish a training partnership that will consist of a ~~Joint~~
26 ~~Committee Partnership~~ on Child Care Training, Education, and
27 Quality Improvement, made up of representatives of the certified
28 provider organization and designees of the Governor. ~~The provider~~
29 ~~organization shall establish a training program that shall carry out~~
30 ~~the recommendations of the committee. The partnership shall~~
31 ~~make recommendations regarding, and oversee, the expenditures~~
32 ~~referred to in subdivision (e). The partnership may consult with~~
33 ~~other early education and care advocates, the Superintendent or~~
34 ~~his or her designees, representatives of community colleges, higher~~
35 ~~education institutions, resource and referral networks, unions that~~
36 ~~operate training programs, apprenticeship programs, and early~~
37 ~~education and care employers. The certified provider organization~~
38 ~~shall carry out the recommendations of the partnership.~~

39 (b) ~~The committee partnership~~ shall meet to identify gaps in
40 the training available to family child care providers and barriers

1 that prevent family child care providers from gaining greater skills
2 and accessing postsecondary education, and issue recommendations
3 on an annual basis to improve the quality of care offered by
4 licensed and licensed-exempt family child care providers.

5 (c) The ~~committee~~ *partnership* shall play a coordinating role in
6 ensuring that the training offered to providers ~~through the training~~
7 ~~program~~ meets the state's needs for the child care workforce;
8 satisfies the health, safety, and educational standards prescribed
9 by the state; aligns with the state's quality rating systems; and
10 identifies and works to eliminate barriers to providers accessing
11 training.

12 (d) The ~~committee's~~ *partnership's* recommendations may
13 include, but are not limited to: ways to access federal and private
14 funding for training to expand capacity to existing state training
15 resources, such as general education classes and English language
16 learner classes; *ways to expand and improve provider training and*
17 *skills on subjects including, but not limited to, child literacy,*
18 *children with special needs, and children's social and emotional*
19 *development*; ways to support providers who seek to obtain training
20 or higher education credentials in child ~~development~~; *development*
21 *or a related field*; ways ~~for the training program~~ to work with
22 existing training providers and educational institutions, including,
23 but not limited to, resource and referral networks, community
24 colleges, and apprenticeship programs; and ways ~~for the training~~
25 ~~program~~ to make training and ~~education~~ *education, which may*
26 *include unit-bearing courses and training*, available to child care
27 workers and other workers employed by child care centers and
28 schools.

29 (e) It is the intent of the Legislature to allocate funds in the
30 Budget Act of 2015, in the amount of one million dollars
31 (\$1,000,000), to carry out the initial recommendations of the
32 ~~committee~~ *partnership*. It is the intent of the ~~Legislature~~;
33 *Legislature* that, in subsequent years, the recommendations of the
34 ~~committee~~ *partnership* shall be funded by contributions agreed to
35 for that purpose in the memorandum of understanding between
36 the provider organization and the Governor, through the
37 Department of Human Resources, as specified in Section 8435.5.

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