

AMENDED IN SENATE JULY 3, 1997
AMENDED IN ASSEMBLY JUNE 2, 1997
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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 326

**Introduced by Assembly Members Ortiz, Ducheny, Kuehl,
and Mazzoni**

(Coauthors: Senators Alpert, Hughes, Karnette, Lee,
Polanco, and Watson)

February 14, 1997

~~An act to add Article 25 (commencing with Section 8498.1) to Chapter 2 of Part 6 of the Education Code, An act to add Section 8481 to the Education Code, and to add Section 11325.1 to the Welfare and Institutions Code, relating to human services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 326, as amended, Ortiz. ~~Literacy~~ *School-based literacy* and recreation child care programs for schoolage children.

Existing law requires the Superintendent of Public Instruction to enter into local contractual agreements for the delivery of extended day care services and authorizes the superintendent to enter into agreements with any public or private entity or agency for the furnishing of property, facilities, personnel, supplies, equipment, and administrative services for this purpose. Existing law requires the State Department of Education to administer the federal Child

Care and Development Block Grant Act of 1990, established by the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508).

Existing law provides for the Greater Avenues for Independence (GAIN) program, under which specified Aid to Families with Dependent Children (AFDC) program recipients are required to participate in employment and training services, in accordance with approved county plans.

This bill would require the ~~State Department of Education~~ *Superintendent of Public Instruction* to allocate funding for the establishment of *school-based* schoolage child care programs with literacy and recreation components. The bill would require that the funds to be allocated *for purposes of these programs* include expansion funds received in the federal Child Care and Development Block Grant and other available child care funding sources that are not allocated or encumbered for expenditure for existing child care services. *The bill would require that a maximum of \$2,000,000 of the funds appropriated in a specified item of the Budget Act be allocated to new contractors for the provision of these school-based schoolage child care programs.* The bill would require at least 6 programs to be funded in the 1997-98 fiscal year with preference given to programs that employ GAIN recipients. Programs would be encouraged to employ teens who are in families that receive AFDC benefits. A program funded pursuant to this bill would be required to meet specified criteria.

~~This bill would require the department to evaluate these programs.~~

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. It is the intent of the Legislature to
2 establish a funding mechanism that requires the ~~State~~
3 ~~Department of Education~~ *Superintendent of Public*
4 *Instruction* to allocate funds for *school-based* schoolage
5 child care programs that include homework and tutoring
6 assistance, improve literacy skills, and provide



1 recreational activities, as well as to facilitate the transition
2 from welfare to work by providing child care for
3 schoolage children and potential employment for welfare
4 recipients who are parents of children enrolled in
5 schoolage child care programs.

6 ~~SEC. 2. Article 25 (commencing with Section 8498.1)~~
7 ~~is added to Chapter 2 of Part 6 of the Education Code, to~~
8 ~~read:~~

9

10 ~~Article 25. Literacy and Recreation Child Care~~
11 ~~Programs for Schoolage Children~~
12

13 ~~8498.1. (a) The State Department of Education shall~~

14 ~~SEC. 2. Section 8481 is added to the Education Code,~~
15 ~~to read:~~

16 ~~8481. (a) The Superintendent of Public Instruction~~
17 ~~shall allocate funds for the establishment of school-based~~
18 ~~schoolage child care programs with literacy and~~
19 ~~recreation components for elementary school children.~~
20 ~~Funds for allocation pursuant to this article section shall~~
21 ~~include expansion funds received in the federal Child~~
22 ~~Care and Development Block Grant awarded pursuant to~~
23 ~~the Personal Responsibility and Work Opportunity~~
24 ~~Reconciliation Act of 1996 (P.L. 104-193) and funds from~~
25 ~~any other child care funding sources that are not allocated~~
26 ~~or encumbered for expenditure for existing child care~~
27 ~~services. In addition, for the purpose of implementing this~~
28 ~~article section and in an effort to create additional~~
29 ~~providers, if funding for job training becomes available~~
30 ~~under other programs including, but not limited to, the~~
31 ~~GAIN program, programs administered by the~~
32 ~~Employment Development Department, or community~~
33 ~~college programs, these funds shall may be utilized for the~~
34 ~~training component provided for under this article.~~

35 ~~(b) The State Department of Education The~~
36 ~~Superintendent of Public Instruction shall fund at least six~~
37 ~~programs in the 1997-98 fiscal year. Programs shall be~~
38 ~~located in each of the southern, central, and northern~~
39 ~~regions of the state.~~



1 (c) A child care program, whether public, private, or
 2 school district operated, whether licensed or exempt, in
 3 collaboration with other local governmental agencies,
 4 may apply to the ~~State Department of Education~~
 5 *Superintendent of Public Instruction* for funding under
 6 this ~~article~~ *section*. A child care program that receives
 7 funding pursuant to this ~~article~~ *section* may participate in
 8 any other grant programs that fund literacy, *youth*
 9 *employment*, and technology activities.

10 (d) In order to achieve the goals of assisting children
 11 in learning, providing parents with employment and
 12 parenting skills, providing a safe environment for
 13 children, and helping prevent crime in neighborhoods, a
 14 program funded under this ~~article~~ *section* shall be a
 15 collaborative effort with a school district, and ~~that~~ may
 16 also include collaboration with any combination of the
 17 ~~following~~; *following*: other school districts, community
 18 college districts, counties, cities, community-based
 19 organizations, not-for-profit organizations, the local
 20 agency that provides the Even Start Family and Head
 21 Start literacy programs or their equivalent programs, and
 22 the private sector.

23 (e) In selecting programs for funding under this
 24 ~~article~~ *section*, the department shall use *the standards set*
 25 *forth in Section 8453, except subdivision (l), and all of the*
 26 *following criteria:*

27 (1) Programs shall have demonstrated experience in
 28 implementing quality before or after-school child
 29 development programs.

30 (2) Programs shall demonstrate the inclusion of a
 31 strong literacy component.

32 (3) Programs shall demonstrate a working
 33 collaboration with entities listed in subdivision (d),
 34 including Even Start Family and Head Start literacy
 35 program providers, to the extent that these programs
 36 exist in the service area.

37 ~~(f) In allocating funds pursuant to this article,~~

38 (4) *Programs shall demonstrate that they are*
 39 *receiving locally generated resources from other than*



1 *federal and state sources. These resources may include,*
2 *but are not limited to, in-kind contributions.*

3 (f) *Notwithstanding Section 8468, in allocating funds*
4 *pursuant to this section preference shall be given to*
5 *programs that currently employ AFDC recipients who*
6 *are parents of children enrolled in the applicant*
7 *programs or that have a demonstrated commitment to*
8 *providing employment opportunities for AFDC*
9 *recipients, or both.*

10 (g) *Funding received by a child care program*
11 *pursuant to this ~~article~~ section may be renewed and is*
12 *contingent upon the following:*

13 (1) *Continued availability of the federal Child Care*
14 *and Development Block Grant funding.*

15 (2) *Compliance with the requirement of subdivision*
16 *(d), the criteria set forth in subdivision (e), and the*
17 *priorities set forth in subdivision (f).*

18 (3) *A favorable evaluation completed by or meeting*
19 *the standards of the State Department of Education*
20 *pursuant to Section 8498.9.*

21 ~~8498.2. (a)~~

22 (h) (1) *A program established under this ~~article~~*
23 *section may employ parents of schoolage children who*
24 *are participating in the GAIN program in the schools*
25 *attended by their own children. Parents employed*
26 *pursuant to this subdivision may also participate in*
27 *training programs at least six hours per week, in order to*
28 *help them understand child development, learn*
29 *parenting skills, and obtain skills for employment in*
30 *either an educational or child care setting. Employment*
31 *in the program may fulfill a participant's GAIN*
32 *employment requirements.*

33 ~~(b)~~

34 (2) *A program shall also be encouraged to hire older*
35 *siblings of children in the program whose families receive*
36 *aid under this chapter, to work in either the program's*
37 *literacy or recreation components. It is the intent of this*
38 ~~*subdivision that hiring teenagers from families that*~~
39 ~~*receive aid under this chapter will provide an additional*~~
40 ~~*source of income for these families.*~~ *paragraph that these*



1 *older siblings who are under 18 years of age be hired with*
 2 *funds from sources other than those appropriated for the*
 3 *purposes of this program.*

4 ~~(e)~~

5 (3) All program participants shall be assessed prior to
 6 working with children to determine their skills and
 7 literacy development and to ~~verify that no criminal~~
 8 ~~record exists~~ *complete a criminal background check*
 9 *pursuant to current law and in conformity with district*
 10 *guidelines. Participants shall be supervised by*
 11 ~~appropriate~~ *qualified staff.*

12 ~~8498.3.—~~

13 (4) *Notwithstanding Section 8288, programs funded*
 14 *under Section 8480.1 are subject to a 1:20 adult-child*
 15 *staffing ratio. These programs may count GAIN*
 16 *recipients and parent trainees working pursuant to*
 17 *subdivision (a) for purposes of determining compliance*
 18 *with staffing ratio requirements. However, teenage*
 19 *siblings employed pursuant to subdivision (b) may not be*
 20 *counted in the staffing ratio.*

21 (5) *Notwithstanding any other provision of law, the*
 22 *hours of operation of these programs shall not be limited*
 23 *to 20 hours per week.*

24 (i) A program established pursuant to this ~~article~~
 25 ~~section~~ shall assist the children of GAIN recipients and
 26 other children to complete homework, improve literacy
 27 skills, that shall include, but not be limited to, reading,
 28 writing, mathematical, and computer skills, and
 29 participate in recreational activities.

30 ~~8498.4.—~~

31 (j) Programs funded under this ~~article~~ ~~section~~ shall
 32 provide training on how to work with children on
 33 reading, writing, listening, and speaking. This training
 34 shall be provided in collaboration with an Even Start
 35 Family or Head Start literacy program, or their
 36 equivalent programs.

37 ~~8498.5.—(a) Priority~~

38 (k) (1) *Notwithstanding Sections 8468 and 8473,*
 39 *priority for funding pursuant to Section 8480.1 shall be*
 40 *given to schoolsites where a minimum of 70 percent of*



1 children have parents who are recipients of aid under the
2 federal Temporary Assistance for Needy Families
3 (TANF) program or are potential recipients. Eligibility
4 for free or reduced-cost meals through the school lunch
5 program shall be used in determining priority.

6 ~~(b)~~

7 (2) Priority for enrollment in programs funded under
8 this ~~article~~ *section* shall be given in accordance with
9 Section 8468.5.

10 ~~8498.6.—~~

11 (l) Programs funded under this ~~article~~ *section* shall be
12 encouraged to take advantage of free snack programs
13 administered by the United States Department of
14 Agriculture.

15 ~~8498.7.—~~

16 (m) It is the intent of this ~~article~~ *section*, by providing
17 a safe, supervised after-school environment for children,
18 including those teens employed by a program, to reduce
19 criminal activity among juveniles, and to strengthen
20 parent-child relationships and communities by involving
21 parents in their children’s schoolwork and schools.

22 ~~8498.8. The State Department of Education shall
23 evaluate the programs based on the Desired Results
24 Based Evaluation System, as developed by the
25 department, or an evaluation that meets the standards of
26 the State Department of Education.~~

27 SEC. 3. Section 11325.1 is added to the Welfare and
28 Institutions Code, to read:

29 11325.1. When child care services are provided by a
30 program funded under Article 25 (commencing with
31 Section 8498.1) of Chapter 2 of Part 6 of the Education
32 Code to a recipient under this article or any other job
33 training program for recipients under this chapter, and
34 the job training program utilizes vouchers for child care
35 services issued by the county or a contracting agency,
36 reimbursement for those child care services shall be
37 made at a market rate established by the department.

38 SEC. 4. *Of the funds appropriated in schedule (b)(8)*
39 *of Item 6110-196-001 of the 1997-98 Budget Act, a*
40 *maximum of two million dollars (\$2,000,000) shall be*



- 1 *allocated to new contractors for the provision of services*
- 2 *pursuant to this act.*

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