

AMENDED IN SENATE SEPTEMBER 3, 1999

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 15, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 910

Introduced by Assembly Member Washington
(Principal coauthors: Senators Hughes and Johnston)

February 25, 1999

An act to ~~add Sections 1538.1, 1538.4, and 1596.847 to the Health and Safety Code, relating to care facilities.~~ *relating to education, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 910, as amended, Washington. ~~Foster family homes; child day care facilities; unfounded complaints~~ *Education: school library materials.*

Existing law requires the governing board of each school district to provide school library services for the pupils and teachers of the district by establishing and maintaining school libraries.

This bill would appropriate, without regard to fiscal year, \$1,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county offices of education to fund the acquisition of school library materials. These funds would be applied toward the minimum

funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

~~Existing law provides for the licensure and regulation of community care facilities by the State Department of Social Services and requires the department to establish regulations for foster family homes.~~

~~This bill would prohibit the department from communicating to a placement agency any unfounded complaint against a foster family home.~~

~~Existing law, the California Child Day Care Act, provides for the licensure and regulation of certain providers of child care by the department.~~

~~This bill would authorize the department to purge unfounded or inconclusive complaints from its files, after a specified time period, if requested in writing by a foster parent or child day care facility against whom the complaint was filed.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1538.1 is added to the Health and~~
 2 *SECTION 1. The sum of one million dollars*
 3 *(\$1,000,000) is hereby appropriated for expenditure,*
 4 *without regard to the fiscal year, from the General Fund*
 5 *to the Superintendent of Public Instruction, for*
 6 *allocation, as an equal amount per unit of regular average*
 7 *daily attendance, to school districts and county offices of*
 8 *education to fund the acquisition of school library*
 9 *materials pursuant to Article 7 (commencing with*
 10 *Section 18180) of Chapter 2 of Part 11 of the Education*
 11 *Code. Each school district and county office of education*
 12 *to which an allocation is made under this section shall*
 13 *meet all of the following criteria:*
 14 *(a) The school district or county office of education did*
 15 *not receive an allocation for the 1998–99 fiscal year from*
 16 *funds appropriated pursuant to Item 6110-149-0001 of*
 17 *Section 2.00 of the Budget Act of 1998.*



1 (b) *The school district or county office of education*
2 *has approved a districtwide school library plan pursuant*
3 *to Section 18181 of the Education Code.*

4 (c) *The amount allocated per unit of average daily*
5 *attendance to a school district or county office of*
6 *education pursuant to this subdivision shall not exceed*
7 *the amount allocated to a school district or county office*
8 *of education pursuant to Item 6110-149-0001 of Section*
9 *2.00 of the Budget Act of 1998.*

10 ~~Safety Code, to read:~~

11 ~~1538.1. In order to restrict a placement agency from~~
12 ~~using an unfounded complaint as a basis for an adverse~~
13 ~~placement decision, the department shall not make~~
14 ~~available or communicate to a placement agency, as~~
15 ~~defined in Section 1536.1, any unfounded complaint~~
16 ~~against a foster family home.~~

17 ~~SEC. 2. Section 1538.4 is added to the Health and~~
18 ~~Safety Code, to read:~~

19 ~~1538.4. (a) Complaints determined by the~~
20 ~~department to be unfounded may be purged from the~~
21 ~~files of the department after one year if requested in~~
22 ~~writing by a foster parent against whom the unfounded~~
23 ~~complaint was filed.~~

24 ~~(b) Complaints determined by the department to be~~
25 ~~inconclusive may be purged from the files of the~~
26 ~~department after 10 years if requested in writing by a~~
27 ~~foster parent against whom the inconclusive complaint~~
28 ~~was filed.~~

29 ~~(c) To request that an unfounded or inconclusive~~
30 ~~complaint be purged, a foster parent may submit a~~
31 ~~written request to the department. The department shall~~
32 ~~notify a foster parent in writing within 45 days of receipt~~
33 ~~of a foster parent's request whether or not the unfounded~~
34 ~~or inconclusive complaint will be purged. The~~
35 ~~department shall, in any notification to a foster parent~~
36 ~~indicating that the complaint will not be purged, include~~
37 ~~its reasons for not purging the complaint.~~

38 ~~SEC. 3. Section 1596.847 is added to the Health and~~
39 ~~Safety Code, to read:~~



1 1596.847. ~~(a) Complaints determined by the~~
2 ~~department to be unfounded may be purged from the~~
3 ~~files of the department after one year if requested in~~
4 ~~writing by a child day care facility against whom the~~
5 ~~unfounded complaint was filed.~~

6 ~~(b) Complaints determined by the department to be~~
7 ~~inconclusive may be purged from the files of the~~
8 ~~department after 10 years if requested in writing by a~~
9 ~~child day care facility against whom the inconclusive~~
10 ~~complaint was filed.~~

11 ~~(c) To request that an unfounded or inconclusive~~
12 ~~complaint be purged, a child day care facility may submit~~
13 ~~a written request to the department. The department~~
14 ~~shall notify a child day care facility in writing within 45~~
15 ~~days of receipt of the facility's request whether or not the~~
16 ~~unfounded or inconclusive complaint will be purged. The~~
17 ~~department shall, in any notification to a child day care~~
18 ~~facility indicating that the complaint will not be purged,~~
19 ~~include its reasons for not purging the complaint.~~

