

AMENDED IN SENATE APRIL 14, 2016

**SENATE BILL**

**No. 1154**

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**Introduced by Senator Liu**

February 18, 2016

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An act to amend Sections 8210, 8211, 8212, 8214, 8215, and 8216 of, to add Sections 8212.5, 8215.5, and 8218 to, and to repeal Section 8212.3 of, the Education Code, relating to child care and development services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1154, as amended, Liu. Child care and development services: resource and referral programs.

(1) 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. Existing law authorizes funds appropriated for purposes of the act to be used for child care resource and referral programs, which may be operated by public or private nonprofit entities and are required to provide certain information and services to parents and child care providers relating to child care services in a defined geographic area.

This bill, which would be known as the Patricia Siegel Child Care Resource and Referral Memorial Act of 2016, would require a child care resource and referral program to provide specified additional services, including providing training and workshops relating to child care services, providing community resource assistance, and collaborating with and assisting other community agencies in planning, coordinating, and improving child care. The bill would delete provisions authorizing a resource and referral program to provide short-term respite care, as defined. The bill would require a resource and referral program

to implement written complaint procedures. The bill would require a resource and referral program to provide basic child care referrals, as defined, at no cost. The bill would require a resource and referral program to include additional information in the documentation a resource and referral program is required to maintain.

(2) Existing law requires the State Department of Social Services to prevent the use of lists containing names, addresses, and other identifying information of facilities identified as small family day care homes, with certain exceptions.

This bill, in addition, would require a child care resource and referral program to limit the distribution of lists of small family day care homes except when necessary to collaborate with federal, state, and local emergency response organizations for emergency preparedness and response efforts.

(3) Existing law establishes the California Child Care Initiative Project for certain purposes, including increasing the availability of qualified child care programs in the state.

This bill would instead establish 2 projects, to be known as the California Child Care Initiative ~~Project~~ *Project* — State Program and the California Child Care Initiative ~~Project~~ *Project* — Quality Plan Program, respectively.

(4) Existing law requires the State Department of Social Services to establish a trustline registry for purposes of conducting background checks for specified child care service providers and imposes certain responsibilities on child care resource and referral programs in the administration of the trustline registry.

This bill would impose additional requirements on resource and referral programs relating to the trustline registry, including reviewing trustline applications for in-home or license-exempt, home-based child care providers who are being paid through state- or federally funded child care subsidies and facilitating the trustline Web-based application process.

(5) This bill would make other conforming changes and nonsubstantive changes.

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. This act shall be known, and may be cited, as the  
2 Patricia Siegel Child Care Resource and Referral Memorial Act  
3 of 2016.

4 SEC. 2. Section 8210 of the Education Code is amended to  
5 read:

6 8210. Funds appropriated for the purpose of this article shall  
7 be used for child care resource and referral programs that may be  
8 operated by public or private nonprofit entities.

9 SEC. 3. Section 8211 of the Education Code is amended to  
10 read:

11 8211. It is the intent of the Legislature to appropriate funding  
12 each fiscal year for allocation to child care resource and referral  
13 programs.

14 SEC. 4. Section 8212 of the Education Code is amended to  
15 read:

16 8212. (a) Child care resource and referral programs are unique  
17 in their provision of services to all parents regardless of income  
18 and all types of child care providers. For purposes of this article,  
19 child care resource and referral programs, established to serve a  
20 defined geographic area, shall provide all of the following services:

21 (1) Identification of the full range of existing child care services  
22 through information provided by all relevant public and private  
23 agencies in the areas of service, and the development of a resource  
24 file of those services that shall be maintained and updated at least  
25 quarterly. These services shall include, but not be limited to, family  
26 day care homes, public and private day care programs, full-time  
27 and part-time programs, and infant, preschool, and extended care  
28 programs. The resource file shall include, but not be limited to, all  
29 of the following information:

30 (A) Type of program.

31 (B) Hours of service.

32 (C) Ages of children served.

33 (D) Fees and eligibility for services.

34 (E) Significant program information.

35 (2) (A) (i) Establishment of a referral process that is described  
36 in writing and is available to ~~parents~~ *parents, providers, and*  
37 *potential* providers upon request, that responds to parental need  
38 for information to make the most informed child care choice for

1 the family. Referrals shall be available to all persons requesting  
2 the information regardless of income level or other eligibility  
3 requirements. A child care resource and referral program shall  
4 limit the distribution of lists of small family day care homes as  
5 required pursuant to Section 1596.86 of the Health and Safety  
6 Code except when necessary to collaborate with federal, state, and  
7 local emergency response organizations for emergency  
8 preparedness and response efforts. Referrals shall be provided with  
9 full recognition of the confidentiality rights of parents. Resource  
10 and referral programs shall make referrals to licensed child day  
11 care facilities, and may make referrals to programs that are legally  
12 exempt from licensing. The referral process shall afford parents  
13 maximum access to all referral information. This access shall  
14 include, but is not limited to, telephone referrals to be made  
15 available for at least 30 hours per week as part of a full week of  
16 contracted operation. Every effort shall be made to make child  
17 care referrals accessible to all parents within the defined geographic  
18 area by using methods including, but not limited to, any of the  
19 following:

- 20 (I) Toll-free telephone lines.
- 21 (II) Email and other appropriate technology.
- 22 (III) Office space convenient to parents and providers.
- 23 (IV) Referrals in languages that are spoken in the community.
- 24 (ii) Each child care resource and referral program shall publicize  
25 its services through all available media sources, agencies, and other  
26 appropriate methods.
- 27 (B) (i) Provision of information to any person who requests a  
28 child care referral of his or her right to view the licensing  
29 information of a licensed child day care facility required to be  
30 maintained at the facility pursuant to Section 1596.859 of the  
31 Health and Safety Code and to access any public files pertaining  
32 to the facility that are maintained by the State Department of Social  
33 Services Community Care Licensing Division.
- 34 (ii) A written or oral advisement in substantially the following  
35 form will comply with the requirements of clause (i):

36  
37 “State law requires licensed child day care facilities to make  
38 accessible to the public a copy of any licensing report pertaining  
39 to the facility that documents a facility visit or a substantiated  
40 complaint investigation. In addition, a more complete file regarding

1 a child care licensee may be available at an office of the State  
2 Department of Social Services Community Care Licensing  
3 Division. You have the right to access any public information in  
4 these files.”

5

6 (3) (A) Maintenance of ongoing documentation of requests for  
7 service tabulated through the internal referral process. The  
8 following documentation of requests for service shall be maintained  
9 by all child care resource and referral programs:

10 (i) Number of calls and contacts to the child care resource and  
11 referral program or component.

12 (ii) Ages of children served.

13 (iii) Time category of child care request for each child.

14 (iv) Special time category, such as nights, weekends, and swing  
15 shift.

16 (v) Reason that the child care is needed.

17 (vi) Requests for other child care information.

18 (vii) Child care supply information, including the number of  
19 licensed child care programs, and, if available, the number of  
20 license-exempt child care providers.

21 (B) This information shall be maintained in a manner that is  
22 easily accessible for dissemination purposes.

23 (4) Provision of technical assistance to existing and potential  
24 providers of all types of child care services to improve access to,  
25 increase the supply of, and improve the quality of child care  
26 available in every community in California. This assistance shall  
27 include, but not be limited to, all of the following:

28 (A) Providing information on all aspects of initiating new child  
29 care services including, but not limited to, licensing, zoning,  
30 program and budget development, and assistance in finding this  
31 information from other sources.

32 (B) Providing information and resources that help existing child  
33 care services providers to maximize their ability to serve the  
34 children and parents of their community.

35 (C) Providing training and workshops on health and safety,  
36 child development, special needs, and other topics related to  
37 professional development.

38 (D) Disseminating information on current public issues affecting  
39 the local and state delivery of child care services.

1 (E) Facilitating communication between existing child care and  
2 child-related services providers in the community served.

3 (F) Providing information about community resources, child  
4 care statistics, and opening a child care business to parents, child  
5 care providers, community organizations, and government entities.

6 (G) Collaborating with community partners to increase  
7 awareness of child care issues.

8 (H) Assisting community and public agencies in planning,  
9 coordinating, and improving child care in the defined geographic  
10 area.

11 (I) Partnering with local county welfare agencies in meeting the  
12 child care needs of CalWORKs families.

13 (J) Facilitating efforts to expand child care services in the local  
14 community based on demonstrated demand for services.

15 (b) Services prescribed by this section shall be provided in order  
16 to maximize parental choice in the selection of child care to  
17 facilitate the maintenance and development of child care services  
18 and resources.

19 (c) (1) A program operating pursuant to this article shall, within  
20 two business days of receiving notice from the State Department  
21 of Social Services Community Care Licensing Division, remove  
22 a licensed child day care facility with a revocation or a temporary  
23 suspension order, or that is on probation from the program’s  
24 referral list.

25 (2) A program operating pursuant to this article shall, within  
26 two business days of receiving notice, notify all entities, operating  
27 a program under Article 3 (commencing with Section 8220) and  
28 Article 15.5 (commencing with Section 8350) in the program’s  
29 jurisdiction, of a licensed child day care facility with a revocation  
30 or a temporary suspension order, or that is on probation.

31 SEC. 5. Section 8212.3 of the Education Code is repealed.

32 SEC. 6. Section 8212.5 is added to the Education Code, to  
33 read:

34 8212.5. A child care resource and referral program shall  
35 develop and implement written complaint procedures that include  
36 all of the following:

37 (a) Procedures for documenting and resolving complaints.

38 (b) Procedures for referring reports of licensing violations to  
39 appropriate agencies.

1 (c) Procedures for removing and reinstating a child care provider  
2 from referral files.

3 SEC. 7. Section 8214 of the Education Code is amended to  
4 read:

5 8214. Basic child care referrals shall be provided at no cost to  
6 all persons requesting services, regardless of income level or other  
7 eligibility criteria. A basic child care referral shall include the  
8 names and telephone numbers of child care providers that meet  
9 the requested need of the parent or guardian seeking referrals in  
10 addition to the information and services described in Section 8216.  
11 A fee may be charged for an enhanced referral that includes  
12 information in addition to basic child care referral information. In  
13 addition to the services prescribed by this section, a child care  
14 resource and referral program may provide a wide variety of other  
15 parent and provider support and educational services. Services,  
16 including training, technical assistance, and other appropriate  
17 support that improves the quality of child care available in the  
18 community, may be provided for all types of child care providers,  
19 depending on the available funding for the services.

20 SEC. 8. Section 8215 of the Education Code is amended to  
21 read:

22 8215. (a) There are hereby established two projects, known  
23 as the California Child Care Initiative ~~Project~~ *Project* — State  
24 Program and the California Child Care Initiative ~~Project~~ *Project*  
25 — Quality Plan Program, respectively. ~~It is the intent of the~~  
26 ~~Legislature to promote and foster the California Child Care~~  
27 ~~Initiative Project — State Program in cooperation with private~~  
28 ~~corporations and local governments.~~ The objective of both projects  
29 is to increase the availability of quality child care in the state.

30 (b) For purposes of this section, ~~the California Child Care~~  
31 ~~Initiative Project~~ *Projects* means ~~a project~~ *projects* to clarify the  
32 role and functions of resource and referral programs in activities,  
33 including needs assessment, recruitment and screening of providers,  
34 technical assistance, and staff development and training, in order  
35 to aid communities to increase the number of child care spaces  
36 available and improve the quality of child care services offered.

37 (c) ~~It is the intent of the Legislature to promote and foster the~~  
38 ~~California Child Care Initiative Project — State Program in~~  
39 ~~cooperation with private corporations and local governments.~~ The  
40 Superintendent shall allocate all state funds appropriated for the

1 California Child Care Initiative ~~Project~~ *Project*— State Program  
2 and shall ensure that each dollar of state funds allocated pursuant  
3 to this subdivision is matched by two dollars (\$2) statewide from  
4 other sources, including private corporations, the federal  
5 government, or local governments.

6 SEC. 9. Section 8215.5 is added to the Education Code, to  
7 read:

8 8215.5. Child care resource and referral programs shall provide  
9 a range of professional development services to all types of child  
10 care providers, including, but not limited to, license-exempt child  
11 care providers, licensed family day care homes, and center-based  
12 child care and development programs, to support the development  
13 of new child care services and to improve the quality of services  
14 available in the state.

15 SEC. 10. Section 8216 of the Education Code is amended to  
16 read:

17 8216. (a) A child care resource and referral program shall  
18 maximize parental choice and supports for parents in locating child  
19 care resources in their community by doing all of the following:

20 (1) Provide information regarding how to select child care  
21 services that meet the needs of the parent and child.

22 (2) Provide a range of possible child care alternatives from  
23 which a parent may choose.

24 (3) Provide information on licensing requirements and  
25 procedures.

26 (4) Provide information on available child care subsidies and  
27 eligibility requirements.

28 (b) When making referrals, an agency operating both a direct  
29 service program and a resource and referral program shall provide  
30 at least four referrals, at least one of which shall be a provider over  
31 which the agency has no fiscal or operational control. If there are  
32 fewer than four providers that meet the request of the parent, a  
33 resource and referral program shall provide all of the referrals that  
34 meet the parent's request.

35 SEC. 11. Section 8218 is added to the Education Code, to read:

36 8218. (a) A child care resource and referral program shall  
37 implement the trustline registry program for license-exempt child  
38 care providers pursuant to Section 1596.655 of the Health and  
39 Safety Code.

1 (b) In addition to the responsibilities specified in Section  
2 1596.655 of the Health and Safety Code, a child care resource and  
3 referral program shall do both of the following:

4 (1) Review trustline applications for completeness and forward  
5 the necessary application information to the State Department of  
6 Social Services for in-home or license-exempt, home-based child  
7 care providers who are being paid through state- or federally funded  
8 child care subsidies.

9 (2) Cooperate with the California Child Care Resource and  
10 Referral Network to facilitate the use of the trustline Web-based  
11 application process.

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