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INTRODUCED BY Assembly Members Ducheny and Ashburn and Senators Thompson and Maddy MARCH 4, 1997

CHAPTER 2.3. LOCAL PLANNING COUNCILS Article 1. Definitions 8499. For purposes of this chapter, the following definitions shall apply:

- (a) "Block grant" means the block grant contained in Title VI of the Child Care and Development Fund, as established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193).
- (b) "Child care" means all licensed child care and development services and license-exempt child care, including, but not limited to, private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 13 years of age, including children with special needs and children from all linguistic and cultural backgrounds.
- (c) "Child care provider" means a person who provides child care services or represents persons who provide child care services.
- (d) "Community representative" means a person who represents an agency or business that provides private funding for child care services, or who advocates for child care services through participation in civic or community-based organizations but is not a child care provider and does not represent an agency that contracts with the State Department of Education to provide child care and development services.
- (e) "Consumer" means a parent or person who receives, or who has received within the past 36 months, child care services.
- (f) "Department" means the State Department of Education. (g) "Local planning council" means a local child care and development planning council as described in Section 8499.3. (h) "Public agency representative" means a person who represents a city, county, city and county, or local education agency.

Article 2. Membership and Funding of Local Child Care and Development Planning Councils 8499.3.

- (a) It is the intent of the Legislature that local child care and development planning councils shall provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities.
- (b) The county board of supervisors and the county superintendent of schools shall do both of the following: (1) Select the members of the local planning council. Before making selections pursuant to this subdivision, the board of supervisors and the county superintendent of schools shall publicize their intention to select the members and shall

invite local organizations to submit nominations. In counties in which the superintendent is appointed by the county board of education, the county board of education may make the appointment or may delegate that responsibility to the superintendent. (2) Establish the term of appointment for the members of the local planning council.

- (c) (1) The local planning council shall be comprised as follows: (A) Twenty percent of the membership shall be consumers. (B) Twenty percent of the membership shall be child care providers, reflective of the range of child care providers in the county. (C) Twenty percent of the membership shall be public agency representatives. (D) Twenty percent of the membership shall be community representatives, who shall not be child care providers or agencies that contract with the department to provide child care and development services. (E) The remaining 20 percent shall be appointed at the discretion of the appointing agencies. (2) The board of supervisors and the superintendent of schools shall each appoint one-half of the members. In the case of uneven membership, both appointing entities shall agree on the odd-numbered appointee.
- (d) Every effort shall be made to ensure that the ethnic, racial, and geographic composition of the local planning council is reflective of the ethnic, racial, and geographic distribution of the population of the county.
- (e) The board of supervisors and county superintendent of schools may designate an existing child care planning council or coordinated child and family services council as the local planning council, as long as it has or can achieve the representation set forth in this section.

8499.5. (a) The department shall allocate funds for purposes of this chapter, on a county-by-county basis, within all counties, based on the amount of state and federal funding that is available. The department shall annually notify the local child care and development planning council in each county of the amount to be allocated within its county, and the timeline for these allocations.

(b) Upon approval by the county board of supervisors and the county superintendent of schools, each local planning council shall submit to the department the local priorities it has identified. The priorities shall be identified in a manner that ensures that all child care needs in the county are met to the greatest extent possible. To accomplish this, each local planning council shall do all of the following:

- (1) Elect a chair and select a staff.
- (2) Conduct an assessment of child care needs in the county no less than once every five years. The needs assessment shall take into consideration all of the following: (A) The needs of families eligible for subsidized child care. (B) The needs of families not eligible for subsidized child care. (C) The waiting lists for programs funded by the department and the State Department of Social Services. (D) The need for child care for children who have been abused or neglected or are at risk of abuse or neglect. (E) The number of children receiving public assistance. (F) Family income among families with preschool or schoolage children. (G) The number of children of migrant workers. (H) The number of children with special needs. (I) The number of children from all identifiable linguistic and cultural backgrounds. (J) Special needs based on geographic considerations, including rural areas. (K) The age of children needing services. (L) Any other factors deemed appropriate by the local planning council.

- (3) Document information gathered during the needs assessment which shall include, but need not be limited to, data on supply, demand, cost, and market rates for each category of child care in the county.
- (4) Encourage public input in the development of the priorities. Opportunities for public input shall include at least one public hearing during which members of the public can comment on the proposed priorities.
- (5) Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
- (6) Conduct a periodic review of child care programs funded by the department and the Department of Social Services to determine if identified priorities are being met.
- (7) Collaborate with subsidized and nonsubsidized child care providers, county welfare departments and human service agencies, job training programs, employers, integrated child and family service councils, parent organizations, and other interested parties to foster partnerships designed to meet local child care needs.
- (8) Design a system to consolidate local child care waiting lists.
- (9) Coordinate part-day programs, including state preschool and Head Start, with other child care to provide full-day child care.
- (10) Submit the results of the needs assessment and the local priorities identified by the local planning council to the board of supervisors and the county superintendent for approval before submitting them to the department.
- (11) Review and comment on proposals submitted to the department that concern child care to be provided within the geographic area covered by the local planning council. These comments shall in no way be binding on the department in the determination of programs to be funded.
- (12) Identify at least one, but no more than two persons from the local planning council, one selected by the board of supervisors and one selected by the county superintendent if two persons are identified, or one person selected by both appointing agencies, to serve as part of the department team that reviews and scores proposals for the provision of services funded through contracts with the department. Local planning council representatives shall not review and score proposals from the geographic area covered by their own local planning council.
- (13) Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of local planning council meetings. This may include developing a training manual, hiring facilitators, and identifying strategies to meet the objectives of the council.
- (14) Provide consultation to the State Department of Education and the State Department of Social Services regarding the development of a single application and intake form for all federal and state subsidized child care and development services. (c) No member of a local planning council shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon. (d) The department shall, in conjunction with the Department of Social Services and all appropriate statewide agencies and associations, develop guidelines for use by local planning councils to assist them in conducting needs assessments that are reliable and accurate. The guidelines shall include acceptable sources of demographic and child care data, and methodologies for assessing child care supply and demand, including the supply and demand for license-exempt child care. (e) The department shall allocate funding within each county in accordance with the priorities identified by the

local planning council of that county and submitted to the department pursuant to this section, unless the priorities do not meet the requirements of state or federal law.

8499.7. It is the intent of the Legislature that any additional conditions imposed upon local planning councils shall be funded from available federal funds to the greatest extent legally possible.