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RN 19 15768 PAGE 1

An act to amend Sections 8350 and 8351 of the Education Code, to amend Section 11323.8 of, and to add Section 11323.7 to, the Welfare and Institutions Code, relating to childcare.



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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

## SECTION 1. Section 8350 of the Education Code is amended to read:

8350. (a) It is the intent of the Legislature in enacting this article to ensure that recipients of aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, and former recipients who have left aid for employment, are connected as soon as possible to local ~~child care~~ childcare resources, make stable ~~child care~~ childcare arrangements, and continue to receive subsidized ~~child care~~ childcare services after they no longer receive aid as long as they require those services and meet the eligibility requirements set forth in Sections 8263 and 8263.1.

(b) This article establishes three stages of ~~child care~~ childcare services through which a recipient of aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, will pass. Further, as families' ~~child care~~ childcare needs are met by county welfare departments and later by other local ~~child care~~ childcare and development contractors, it is the intent of the Legislature that families experience no break in their ~~child care~~ childcare services due to a transition between the three stages of ~~child care~~ childcare services.

(c) In order to ensure that there is no disruption in childcare services due to the planned transitions between the three stages of CalWORKs childcare, the first or second stage of childcare services shall not be discontinued until confirmation in writing is received from the administrator of the subsequent stage of childcare that the family is enrolled in the next stage of childcare services, unless it is determined that the family is ineligible for services.

## SEC. 2. Section 8351 of the Education Code is amended to read:

8351. (a) The county welfare department shall manage the first stage during which a family shall receive a ~~child care~~ childcare subsidy for any legal care chosen by the parent. The first stage begins upon the entry of a person into the program prescribed by Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code.

(b) ~~A county shall move recipients out of this first response stage as quickly as possible after the county determines that the need for child care is stable. A recipient may shall be served in this first stage for a maximum of six minimum of 12 months. The six-month 12-month time limit may be extended if the county determines that the recipient's situation is too unstable to be shifted to the second stage or if no funds are available to provide child care childcare services in the second stage.~~

(c) Former CalWORKs recipients who cannot be transitioned from the first stage of ~~child care~~ childcare because no funded slot is available are eligible to receive the first stage and any subsequent stage two ~~child care~~ childcare services for up to a total of 24 months after they leave cash aid, or until they are otherwise ineligible within that 24-month period. Family size and income for purposes of determining eligibility and family fee shall be determined pursuant to Sections 8263 and 8263.1.

(d) The county welfare department shall also begin the first stage of ~~child care~~ childcare when an individual who applies for aid under the program described in Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code is participating as a volunteer pursuant to Article 3.2 (commencing



with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code.

(e) A county may contract with public or private ~~child care~~ childcare providers to provide any or all of the services during the first stage. If the county welfare department elects to contract with any ~~child care~~ childcare provider that is also under contract with the State Department of Education, these contracts shall be consistent with state law.

SEC. 3. Section 11323.7 is added to the Welfare and Institutions Code, to read:

11323.7. (a) Upon establishing initial eligibility or ongoing eligibility for childcare services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 12 months, shall receive those services for not less than 12 months before having their eligibility or need recertified, and shall not be required to report changes to income or other changes during those 12 months.

(b) Notwithstanding subdivision (a), a county may transfer a first stage childcare recipient to the second stage childcare administrator prior to the recipient receiving the full 12 months of the first stage of childcare services if the recipient is determined to be financially ineligible for CalWORKs, provided that the recipient's income does not exceed 85 percent of the state median income as set forth in subdivision (b) of Section 8263.1 of the Education Code.

SEC. 4. Section 11323.8 of the Welfare and Institutions Code is amended to read:

11323.8. (a) Counties shall manage the participant's transition from stage one to stage two ~~child care~~ childcare pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code. If the county is operating stage two ~~child care~~, childcare, the county shall manage the participant's transition from stage two to stage three pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code.

(b) In accordance with subdivision (c) of Section 8350 of the Education Code, a county shall provide the first or second stage of childcare services until the recipient's enrollment in childcare services in the subsequent stage is confirmed in writing, unless it is determined that the family is ineligible for services.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No. \_\_\_\_\_  
as introduced, \_\_\_\_\_  
General Subject: CalWORKs: supportive services: childcare.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. Existing law generally requires a recipient of CalWORKs benefits to participate in welfare-to-work activities as a condition of eligibility for aid. Existing law requires that necessary supportive services be available to participants in welfare-to-work activities, including childcare, which is provided pursuant to the Child Care and Development Services Act. The act establishes 3 stages of childcare services through which a recipient of CalWORKs will pass.

This bill would prohibit the first stage or the 2nd stage of childcare services from being discontinued until confirmation in writing is received from the administrator of the subsequent stage of childcare that the family has been enrolled in the next stage of childcare services, unless it is determined that the family is ineligible for services.

Existing law requires a county to move recipients out of the first stage of childcare services as quickly as possible after the county determines that the need for childcare is stable. Under existing law, a recipient may receive childcare services in the first stage for a maximum of six months, which may be extended under certain circumstances.

This bill would remove the requirement that a county move a recipient out of the first stage of childcare services as soon as the county determines that the need for childcare is stable, and would, instead, require a recipient to receive childcare services for a minimum of 12 months, which may be extended under certain circumstances. The bill would require a family, upon establishing initial eligibility or ongoing eligibility for childcare services, to be considered to meet all eligibility and need requirements for those services for not less than 12 months. The bill would authorize a county to transfer a first stage childcare recipient to the second stage administrator prior to the recipient receiving the full 12 months of first stage childcare services if the recipient is determined to be financially ineligible for CalWORKs, provided that the recipient's income does not exceed 85 percent of the state median income.

By imposing new duties on counties, the bill would impose a state-mandated local program.



The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

