

Early Learning and Care Workforce Master Plan, Workforce Development, and Infrastructure Proposal

Article 22.1 (commencing with Section 8465), Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code is amended to read:

(a) The Legislature finds and declares all of the following:

(1) Providing children in California with a healthy start is one of the best investments the state can make.

(2) Research links early childhood interventions and improved life outcomes, including higher education levels, better health, and stronger career opportunities.

(3) Access to high-quality, affordable childcare and early learning programs is essential for all families.

(4) Parents are more likely to be successful in school and career if they know that their children are safe and productively engaged throughout the day.

(5) Children who are emotionally, developmentally, and academically supported in a care setting are more likely to start school ready to learn and continue to excel once they are enrolled in school.

(b) To implement a more well-aligned, comprehensive childcare system in the state, on or before October 1, 2019, ~~the executive director of the State Board of Education or the executive director's designee, in consultation with the Superintendent of Public Instruction and the Director of the State Department of Social Services,~~ **the California Department of Education, subject to approval by the Executive Director of the State Board of Education and his or her designee and in consultation with the director of the Department of Social Services,** shall enter into a contract with a **one or more** nongovernmental research and policy agencies to develop recommendations for future investment in the state's system of subsidized childcare and early learning for children from birth to five years of age, inclusive, with specific focus on children in high-need, low-income areas. These recommendations shall be compiled in a report, **or series of reports,** to be completed on or before October 1, 2020, **but released on a flow basis,** and provided to the Governor, the chairpersons of the legislative policy and budget committees for education and health and human services, the executive director of the State Board of Education or the executive director's designee, the Superintendent of Public Instruction, the Director of the State Department of Social Services, and the Director of Finance.

(c) For purposes of subdivision (b) of this section, the California Department of Education may enter into an exclusive or nonexclusive contract on a bid or negotiated basis. Any contract entered into or amended pursuant to subdivision (b) of this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(d) Notwithstanding any other law, the one or more nongovernmental research and policy agencies may subcontract as necessary in the performance of its duties, subject to approval of the Executive Director of the California State Board of Education or his or her designee.

(1) The report **or series of reports** shall include all of the following:

(A) A blueprint **Master Plan** for the state's system of subsidized childcare and early learning for children from birth to five years of age, inclusive, that equally prioritizes parents' need for care in order to work and the educational needs of young children. This new system shall balance all of the following:

- (i) Access and affordability for families.
 - (ii) A wage and working environment that values and supports childcare professionals.
 - (iii) A setting and curriculum that invests in children’s social, emotional, and academic development.
 - (iv) A seamless system of wraparound services that supports a diverse child population and mitigates any barriers to learning.
- (B) A framework, including options to generate needed revenues, **examine alternate funding streams, and** implement a comprehensive, high-quality childcare and prekindergarten education system in California. This framework shall ~~reflect~~ **incorporate** the principles of shared responsibility, **fiscal sustainability, and regional variability by examining the following:**
- (i) The appropriate role for government, businesses, and parents in meeting child care and prekindergarten education needs.**
 - (ii) A cohesive system of provider reimbursement that reflect the variations in the cost of doing business across the state.**
 - (iii) The current allocation of state and federal funding for child care and prekindergarten education across the state, specifically by measures of local needs and access to subsidized care.**
- (C) Ways to simplify the subsidized childcare system, bring greater cohesion and stability to the system, **identify barriers to providing and receiving care,** and increase access to childcare subsidies, including by considering all of the following:
- (i) A cohesive system of provider reimbursement that reflects the variations in the cost of doing business across the state and the costs of serving a diverse population of children, including children with disabilities and dual language learners.
 - (ii) A single set of minimum quality and program guidelines for all subsidized childcare providers by setting.
 - (iii) A career pathway for childcare professionals that provides upward mobility and produces a trained and stable workforce, ~~but~~ **and** also considers **the role of higher education in workforce development, the added benefit of additional coaching and training supports,** and potential barriers to access for families resulting from a lack of qualified childcare professionals.
 - (iv) Improved efficiency for parents to access information about subsidized care, to apply for and use subsidies, and to access care that meets their needs, including for those requiring care for their children during nonstandard hours of the day and week.
 - (v) Improved efficiency for providers accepting subsidies to receive payment for services.
 - (vi) A data system developed in coordination with the Cradle-to-Career Data Insights Act, that enables parents, providers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities for children aged 0-5.**
 - (vii) Needs of subsidized providers in maintaining or improving their facility capacity, including their decision-making framework for choosing their current facility arrangements.**
- (D) Necessary steps to provide universal prekindergarten education for all three-and four-year-old children in California, including by considering all of the following:
- (i) Recommendations to address the overlap between the transitional kindergarten, state preschool, and Head Start programs, and ensure that all children, regardless of family income, have access to the same level of prekindergarten program quality.
 - ~~(ii) Strategies to address facility capacity and ensure a trained workforce is available.~~ **Strategies to identify families’ decision-making framework for choosing among prekindergarten programs, and measuring unmet need for families who are unable to access a quality program.**
 - (iii) Recommendations to align prekindergarten education with the subsidized childcare system and the elementary and secondary education system, to ensure that children have access to a

full day of care, as needed, and ensure seamless matriculation to elementary and secondary education.

~~(E) An assessment of the current allocation of public funding for childcare and prekindergarten education across the state, specifically by measures of local needs and access to subsidized care.~~

~~(FE)~~ Estimated costs to implement the recommendations included in the report as well as strategies for prioritizing state investments in childcare and prekindergarten education in future years. **These strategies and priorities shall be developed with consideration of fiscal sustainability.**

(2) The report developed pursuant to paragraph (1) shall build on prior childcare system and prekindergarten education research and data, including that developed by the State Department of Education, the State Department of Social Services, the State Advisory Council on Early Learning and Care, and the Legislature.

(c) The requirements of subdivision (b) shall be funded from funds appropriated for this purpose in the Budget Act of 2019.

(d) By June 30, 2021, the unencumbered balance of any appropriation provided for the support of the activities described in subdivision (b) shall be made available for activities described in Section 8465 upon approval of the Director of Finance.

Article 22.1. ~~Childcare~~ **Early Learning and Care** Infrastructure and Workforce Development Grants

8465. (a) The Superintendent shall administer ~~an infrastructure grants program for construction of new, or retrofitting of existing, the Early Learning and Care Infrastructure Grant Program to expand access to early learning and care opportunities for children up to five years of age by providing resources to build new facilities or retrofit, renovate or expand existing childcare and preschool~~ facilities pursuant to this section.

(b) The ~~Superintendent shall award~~ infrastructure grants ~~shall be awarded~~ on a competitive basis to ~~childcare and preschool early learning and care~~ providers that are not local educational agencies, ~~including those that operate as a childcare center or a family childcare home, and operate as a licensed childcare center, preschool, or licensed family child care home for the following purposes:~~

(1) Construction of new early learning and care facilities to increase capacity or recover lost capacity as a result of a state or federally declared disaster.

(2) Renovation, repair, modernization, or retrofitting existing early learning and care facilities to increase capacity or recover lost capacity as a result of a state or federally declared disaster, or make existing early learning and care facilities more resilient for future natural disasters.

(3) Renovation, repair, modernization, or retrofitting of existing facilities for use as early learning and care facilities.

~~The Superintendent shall allocate a portion of the funds available for the grants each fiscal year through the 2023–24 fiscal year, in approximately equal amounts each fiscal year.~~ (c) The Superintendent shall require ~~both of~~ **all of** the following from applicants for the infrastructure grants:

(1) A proposal to increase **capacity and** local access to subsidized early learning and ~~preschool care~~ programs for children up to five years of age, including children with exceptional needs. The ~~proposal information~~ shall quantify the number of additional ~~subsidized~~ children ~~proposed to be~~ **who will be served provided with access to subsidized early learning and care programs.**

(2) A plan to fiscally sustain **the increase in** subsidized spaces or programs created through the use of these funds. Subsidies may be funded with private, local, state, or federal funds, but shall be able to demonstrate reasonable expectations of sustainability.

(3) Specific activities and materials for which grant funding will be used.

(4) A description of how the applicant will measure outcomes associated with the proposal submitted pursuant to paragraph (1), as specified by the Superintendent.

(5) An outline of any potential challenges or barriers the applicant will experience or expect to experience in building capacity including the need for any technical assistance to address the issues identified.

(c) **The Superintendent shall give p**Priority for **grant** funding **shall be given** based on the following:

(1) Applicants with a demonstrated need for expanded access to subsidized **childcare or preschool, early learning and care programs as measured by the ratio of children in subsidized early learning and care programs to eligible children in the applicant's service area.**

(2) Applicants in low-income communities, as measured by the proportion of children that qualify for state or federal subsidies for **childcare or preschool, early learning and care programs.**

(3) Applicants who plan to **use grant funding to** serve children that qualify for state or federal subsidies for **childcare or preschool, early learning and care programs.**

(d) Infrastructure grants may be used for one-time infrastructure costs only, including, but not limited to, universal design facility renovations, the cost of design, engineering, testing, inspections, plan checking, construction management, site acquisition and development, evaluation and response action costs relating to hazardous substances at a new or existing site, demolition, construction, landscaping, or other related costs as determined by the Superintendent.

(e) Infrastructure grant recipients shall commit to providing program data to the department, as specified by the Superintendent, and participate in overall program evaluation.

(f) The infrastructure grants program created pursuant to this section shall be funded from funds appropriated for this purpose in the Budget Act of 2019. **Of the amount provided for this program, the Superintendent shall allocate a portion of the funds available for the grants through the 2023–24 fiscal year, in approximately equal amounts each fiscal year as follows:**

(1) In fiscal year 2019-20, for licensed early learning and care centers that are not local educational agencies, pursuant to this section.

(2) In each fiscal year thereafter, for all licensed early learning and care providers, including licensed family child care home providers, to the extent the process described in subdivision (g) is complete.

(g) Notwithstanding any part of this section, the Superintendent, with concurrence of the Executive Director of the State Board of Education, shall ensure that funding released after October 1, 2020 reflects the recommendations and priorities of the Master Plan for Early Learning and Care.

(h) Before March 1, 2020, the Superintendent, with concurrence of the Department of Finance, shall determine an appropriate method, process, and structure for grant management, fiscal accountability, and technical assistance and supports for grantees that ensures transparency and accountability in the use of state funds. Consideration shall be given to the use of one or more financial intermediaries, state financial entities, or other organizations. The Superintendent will notify the Joint Legislative Budget Committee when this process is determined.

8466. (a) The Superintendent shall administer **a competitive workforce development grants program the Early Learning and Care Workforce Development Grants Program** to expand the number of qualified childcare and early learning professionals and increase the educational

credentials of existing childcare and early learning professionals across the state, pursuant to this section.

~~(b) The department shall administer the workforce development grants through local partnerships in all 58 counties in the state. The Superintendent shall allocate a portion of the funds available for the grants each fiscal year through the 2023–24 fiscal year, in approximately equal amounts each fiscal year. Of the amount provided for this program in the Budget Act of 2019, the Superintendent shall allocate a portion of the funds available for the grants through the 2023–24 fiscal year, in approximately equal amounts each fiscal year.~~

(c) The Superintendent shall award and administer the workforce development grants to local and/or regional quality improvement partnerships, as defined by the Superintendent, representing all 58 counties across the state. A local and/or regional quality improvement partnership may form a consortia with one or more regional partners. All local and/or regional partners partnerships shall submit a plan to the department that describes how they will allocate funds and increase the number, and qualifications, and competencies of childcare and early learning professionals in their county. The plan shall also describe how local partners partnerships will engage in collaborative partnerships with their members, local governmental agencies, businesses, nonprofit organizations, or other interested partners to improve the educational attainment of childcare and early learning professionals in their county or region, including those working in centers, family child care homes, and license-exempt settings.

~~(ed)~~ Workforce development grant award amounts shall be determined based on the following criteria:

- (1) Demonstrated need for childcare professionals in each county **or region.**
- (2) The cost of living in each county **or region.**
- (3) The number of children under 13 years of age in each county **or region** who are in a family whose income is up to 85 percent of the state median income.

~~(de)~~ Workforce development grants may be used for costs associated with the educational expenses of current and future childcare and early learning professionals that move those professionals along the childcare and early learning professional continuum **career lattice and support their attainment of increased education in early childhood instruction or child development,** including:

- (1) Tuition, supplies, and other related educational expenses.
- (2) Transportation and childcare costs incurred as a result of attending classes.
- (3) Substitute teacher pay for childcare and early learning professionals that are currently working in a subsidized childcare and early learning setting.

(4) Stipends and professional development expenses as determined by the Superintendent.

~~(45)~~ Other educational expenses as determined by the Superintendent.

(f) Local and/or regional partnerships awarded funding pursuant to this section may partner with local or online accredited higher education institutions, local agencies that provide high-quality, credit-bearing trainings, or apprenticeship programs that integrate and embed higher education coursework with on the job training of professionals.

(g) The Superintendent may set aside no more than 1 percent of the total funding appropriated for the Early Learning and Care Workforce Development Grants Program to provide technical assistance and support for grantees and potential grantees on developing proposals for and implementing workforce development grants.

~~(eh)~~ Local partners receiving grants shall commit to providing program data to the department, as specified by the Superintendent, **including but not limited to recipient information, educational progress and employment status,** and participate in overall program evaluation.

(fi) The competitive workforce development grants program created pursuant to this section shall be funded from funds appropriated for this purpose in the Budget Act of 2019.

(j) Notwithstanding any part of this section, the Superintendent, with concurrence of the Executive Director of the State Board of Education, shall ensure that funding released after October 1, 2020 reflects the recommendations and priorities of the Master Plan for Early Learning and Care.