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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair  
2021 - 2022 Regular Session

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### AB 321 (Valladares) - Childcare services: enrollment priority

**Version:** January 3, 2022

**Urgency:** No

**Hearing Date:** August 1, 2022

**Policy Vote:** ED. 6 - 0, HUMAN S. 5 - 0

**Mandate:** No

**Consultant:** Lenin Del Castillo

**Bill Summary:** This bill adds children with a primary home language other than English to priority enrollment in state preschool and federal or state subsidized general child care programs.

**Fiscal Impact:** The California Department of Education (CDE) estimates General Fund costs of \$188,000 in the first year and \$186,000 (GF) in the second year for 1.0 position to write regulations and provide guidance to the field. The workload activities include responding to questions from the field, developing and conducting ongoing trainings and providing technical assistance. These costs also include related travel expenses. The CDE indicates that the cost for updating the Child Development Management Information System will be minimal.

The CDE also indicates that there is no data available to indicate how the new priority would impact the overall levels of reimbursement because these children are already eligible for services. Additionally, the bill's new subcategory of income eligibility would not increase the number of children that will be eligible to receive services because these children are already income eligible.

**Background:** Existing law establishes the state's subsidized childcare system which is designed to assist parents who are working, in training, seeking employment, incapacitated or in need of respite. Childcare is available through a number of programs, including California Work Opportunity and Responsibility to Kids (CalWORKs); General Child Care, which includes contracted centers and family child care homes; alternative payment programs (APPs), which provide vouchers to obtain child care in a center, family child care home or from a license-exempt provider; and, the California State Preschool Program (CSPP), which provides developmentally, culturally and linguistically appropriate curriculum to eligible three- and four-year olds.

Existing law provides that in order to be eligible for subsidized childcare through a program other than CalWORKs, families must meet at least one eligibility requirement and one need requirement, generally meaning being income-eligible, homeless or having children who are receiving protective services. Need requirements also include parents who are engaged in or seeking employment, engaged in vocational training, seeking permanent housing for family stability or are incapacitated. An eligible child is enrolled in a childcare program based on statutorily determined priorities, with highest priority given to children who are recipients of child protective services or who are at risk of abuse. Second priority is given to children from the lowest income families. If two or more families are in the same income priority category, a child with exceptional needs is admitted first, followed by those who have been on the waiting list the longest.

Existing law provides that children are also enrolled into the CSPP on a priority basis. First priority is for three- or four-year-olds who are receiving child protective services or who at risk of abuse. Second priority is for eligible four-year-olds who are not enrolled in TK. Within this priority category, children are enrolled in income ranking order, followed by children with exceptional needs, and then families who have been on the waiting list the longest. Third priority is for eligible three-year-olds with similar income, exceptional needs and waiting-list duration determinations as four-year-olds.

**Proposed Law:** For part-day and full-day state preschool programs, this bill adds children from a family in which the primary home language is other than English within priority enrollment, following the existing priority for children who are abused or neglected, low-income four-year olds, and children with exceptional needs (and before children who have been on the waiting list).

For child care and development programs, this bill adds children from a family in which the primary home language is other than English within priority enrollment, after the existing priority for children who are abused or neglected, low-income children, and children with exceptional needs (and before children who have been on the waiting list).

**Related Legislation:** AB 1363 (Luz Rivas), Chapter 498, Statutes of 2021, requires providers to identify and report data on dual language learners enrolled in the CSPP.

**Staff Comments:** This bill changes the enrollment order of already eligible children within their income level; it does not increase the number of children eligible to receive services. It would add a priority ranking for children from families whose primary home language is not English, following children with exceptional needs and prior to other children who have been on the waiting list the longest. Currently, there is no state-level data of the number of eligible families currently on waiting lists for enrollment into subsidized child-care but it is likely that it far exceeds the number of available slots.

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