



CALIFORNIA STATE SENATOR

**Jesse Arreguín**

REPRESENTING SENATE DISTRICT 07

## SB 792 – Child Care: State Median Income Threshold

### **SUMMARY**

SB 792 would align the disenrollment income eligibility threshold across the child care and development programs administered by the California Department of Social Services (CDSS) from 70 percent to 85 percent of the state median income (SMI).

### **BACKGROUND**

Eligibility criteria for CDSS' child care and development programs – such as California Work Opportunity and Responsibility to Kids (CalWORKs) Child Care Programs, Alternative Payment Program, Migrant Alternative Payment Program, and Emergency Child Care Bridge Program for Foster Children – are found in each program's statutory authority in Welfare and Institutions Code (WIC).

Assembly Bill 99 established definitions of “income eligible” for the purposes of establishing initial eligibility and “ongoing income eligible” for the purposes of establishing ongoing eligibility. Through AB 99, the definition of “income eligible” and “ongoing income eligible” were established at 70 percent and 85 percent SMI. However, AB 99 did not update other provisions in statute referencing the 70 percent income eligibility, specifically the provisions detailing the disenrollment of families from programs that are no longer income eligible.

### **PROBLEM**

Currently, there are inconsistencies in the income eligibility determinations in California's child care and development programs administered by CDSS. Specifically, some sections in WIC suggests that families SMI must be at or below 70 percent SMI and other sections of WIC that indicate that it must be at or below 85 percent SMI. This results in inconsistent administration of programs, inconsistent contract types, confusion in the field, inequities in eligibility

determinations, and inaccuracies in the assessment of family fees among programs.

For instance, child care and development contractors must navigate erroneously conflicting eligibility threshold across different areas of statute, specifically the ongoing eligibility threshold and the disenrollment threshold. This may impact program administration and lead to inconsistencies in how families are assessed for continued enrollment and family fees. Based on different statutory interpretations and the level of understanding from local contractors administering child care and development programs, local contractors may operate under the updated 85 percent SMI threshold, while others may erroneously dis enroll families based upon the previous 70 percent SMI, resulting in varying contract requirements and confusion among both providers and families.

### **SOLUTION**

SB 792 would ensure that child care and development contractors provide consistent and accurate program administration in CDSS' child care and development programs when determining eligibility.

### **CONTACT**

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