

SB 828 – Education trailer bill

(5) Existing law requires the State Department of Education to implement the regional market rate schedules based upon the 85th percentile of county aggregates, as determined by the regional market rate survey conducted in 2009, and, commencing January 1, 2015, requires the regional market rate schedule developed pursuant to that provision to be reduced by 10.11 percent. Existing law requires the department, if a market rate ceiling for a county is less than the ceiling provided for that county before January 1, 2015, to use the ceiling from the regional market rate survey conducted in 2005, and requires, commencing October 1, 2015, the regional market rate ceilings for all counties to be increased by 4.5%. This bill would delete those provisions and would instead require the department to implement the regional market rate schedules based upon county aggregates, as specified in a certain provision and the annual Budget Act.

SECTION 1. Section 8263 of the Education Code is amended to read:

New Language - (a) (2) If only one parent has signed an application for enrollment in child care services, as required by this chapter or regulations adopted to implement this chapter, and the information provided on the application indicates that there is a second parent who has not signed the application, the parent who has signed the application shall self-certify the presence or absence of the second parent under penalty of perjury. The parent who has signed the application shall not be required to submit additional information documenting the presence or absence of the second parent.

SEC. 3. Section 8265 of the Education Code is amended to read:

(b) ~~The~~ *Until December 31, 2016, the* standard reimbursement rate shall be nine thousand five hundred seventy-two dollars and fifty cents (\$9,572.50) per unit of average daily enrollment for a 250-day ~~year~~ *year. Commencing January 1, 2017, the standard reimbursement rate shall be ten thousand five hundred twenty-nine dollars and seventy-five cents (\$10,529.75)* and, commencing with the ~~2016-17~~ *2017-18* fiscal year, shall be increased by the cost-of-living adjustment granted by the Legislature annually pursuant to Section 42238.15. ~~The~~ *Until December 31, 2016, the* full-day state preschool reimbursement rate shall be nine thousand six hundred thirty-two dollars and fifty cents (\$9,632.50) per unit of average daily enrollment for a 250-day ~~year~~ *year. Commencing January 1, 2017, the full-day state preschool reimbursement rate shall be ten thousand five hundred ninety-five dollars and seventy-five cents (\$10,595.75)* and, commencing with the ~~2016-17~~ *2017-18* fiscal year, shall be increased by the cost-of-living adjustment granted by the Legislature annually pursuant to Section 42238.15. *It is the intent of the Legislature to further increase the standard reimbursement rate through the 2018-19 fiscal year to reflect increased costs to providers resulting from increases in the state minimum wage.*

SEC. 4. Section 8357 of the Education Code is amended to read:

8357. (a) The cost of child care services provided under this article shall be governed by regional market rates. Recipients of child care services provided pursuant to this article shall be allowed to choose the child care services of licensed child care providers or child care providers who are, by law, not required to be licensed, and the cost of that child care shall be reimbursed by counties or agencies that contract with the department if the cost is within the regional

market rate. For purposes of this section, "regional market rate" means care costing no more than 1.5 market standard deviations above the mean cost of care for that region. ~~Until October 1, 2015, it is the regional market rate ceilings shall be established intent of the Legislature to reimburse child care providers at the greater of either the 85th percentile of the 2009 most recent regional market rate survey for that region, reduced by 10.11 percent, or survey. It is also the 85th percentile intent of the 2005 Legislature to update the regional market rate survey for that region. Commencing October 1, 2015, ceilings with each new regional market rate survey, based on available funding, and to further increase the regional market rate ceilings shall be established at 104.5 percent of the greater of either of through the 2018–19 fiscal year to reflect increased costs to providers resulting from increases in the following: state minimum wage.~~

(b) Until December 31, 2016, the regional market rate ceilings shall be established at 104.5 percent of the greater of either of the following:

(1) The 85th percentile of the 2009 regional market rate survey for that region, reduced by 10.11 percent.

(2) The 85th percentile of the 2005 regional market rate survey for that region.

(c) Commencing January 1, 2017, and until June 30, 2018, the regional market rate ceilings shall be established at the greater of either of the following:

(1) The 75th percentile of the 2014 regional market rate survey for that region.

(2) The regional market rate ceiling for that region as it existed on December 31, 2016.

(d) Commencing July 1, 2018, the regional market rate ceilings shall be established at the 75th percentile of the 2014 regional market rate survey for that region.

~~(b)~~

(e) Until ~~October 1, 2015,~~ the December 31, 2016, reimbursement to license-exempt child care providers shall not exceed ~~60~~ 65 percent of the family child care home rate established pursuant to ~~subdivision (a), effective July 1, 2011.~~ subdivisions (a) and (b). Commencing ~~October~~ January 1, ~~2015,~~ 2017, reimbursement to license-exempt child care providers shall not exceed ~~65~~ 70 percent of the family child care home rate established pursuant to ~~subdivision (a).~~ subdivisions (c) and (d).

(2) Notwithstanding paragraph (1), ~~until January 1, 2015,~~ the State Department of Education department shall implement the regional market rate schedules based upon the county aggregates, as ~~determined by the Regional Market survey conducted specified in 2005. Commencing January 1, 2015, Section 8357 and the department shall implement the regional market rate schedules based upon the 85th percentile of county aggregates, as determined by the Regional Market survey conducted in 2009. Commencing January 1, 2015, the regional market rate schedule developed pursuant to this paragraph shall be reduced by 10.11 percent. If a ceiling for a county is less than the ceiling provided for that county before January 1, 2015, the department shall use the ceiling from the Regional Market survey conducted in 2005. Commencing October 1, 2015, the regional market rate ceilings for all counties shall be increased by 4.5 percent.~~ annual Budget Act.

In the shaded area below, is the language from the Budget Act ([SB 826](#)):

(2)	<i>Notwithstanding any other provision of law, effective January 1, 2017, the funds appropriated in this item for the cost of licensed child care services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with</i>
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		<i>Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be the greater of either:</i>		
			(A)	<i>The 75th percentile of rates based on the 2014 Regional Market Rate Survey.</i>
			(B)	<i>The regional market rate ceiling for that region as it existed on December 31, 2016.</i>
	(c)	<i>Until December 31, 2016, the funds appropriated in this item for the cost of license-exempt child care services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse license-exempt child care costs up to 65 percent of the regional reimbursement rate limits established for family child care homes. Commencing January 1, 2017, the funds appropriated in this item for the cost of license-exempt child care services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse license-exempt child care costs up to 70 percent of the regional reimbursement rate limits established for family child care homes.</i>		