

COMMUNITY CARE LICENSING

A division of the California Department of Social Services that mandates child care licensing requirements and oversees the licensing process for all child care facilities. Licensing is regulated by Title 22, Division 12 of the California Code of Regulations. Subsidized child care facilities must also meet the guidelines in Title 5, Division 1, Chapter 19.

Licensing is intended to provide minimum health and safety standards, and is therefore not necessarily a measure of quality. State law requires that child care facilities, other than those operated by license-exempt providers as described earlier in this chapter, be licensed. All child care centers are licensed by the Community Care Licensing Division of the California Department of Social Services and are regulated by Title 22, Division 12 of the California Code of Regulations. Private child care centers, centers that do not receive subsidies, are regulated only by the Community Care Licensing Department and must comply with Title 22. Centers that receive federal and state funding are also overseen by the California Department of Education's Childhood Development Division, and hence are often referred to as Child Development Centers. Child Development Centers must meet the guidelines in the California Code of Regulations, Title 22, Division 12 and Title 5, Division 1, Chapter 19.

Title 22 and Title 5 specify baseline requirements for the physical environment in which child care is operated, the qualifications and number of teachers and aides (staff), accountability, record keeping, procedures for addressing health and safety concerns, and food service if provided. Title 5 includes higher qualifications for teachers. It stipulates that providers include components such as parent involvement and education, health and social services for families, and community involvement including outreach. Continuation of a license is subject to annual inspections by Community Care Licensing, assuming no uncorrected deficiencies or other violations have occurred. If a complaint is received by Community Care Licensing, and Licensing determines that an evaluation visit is warranted, additional inspections of possible deficiencies or violations will be scheduled.

A license is facility-specific; a provider cannot shift a license from one center to another. There are two separate child care licenses based on age group: 1) Infant programs and 2) Preschool programs. An application for a "Toddler option," to cover the ages between infant and preschool, may be added to either license.

LICENSED CENTER-BASED CARE

Licensed center-based child care is provided in a child care facility which is licensed and regulated by the State Department of Social Services' Community Care Licensing Division under Title 22, Division 12 of the California Code of Regulations and the California Health and Safety Code. Licensed providers must meet the minimum standards mandated under Title 22 and under the Health and Safety Code. If the provider has a contract with the state to provide subsidized care, the provider must also meet the minimum standards mandated under Title 5, Division 1, Chapter 19. Child care is commonly provided in a classroom-like setting in a commercial space such as an office building, amenities building of a residential development, or a church. Providers range in size, including operators of single centers, large regional providers with multiple centers, and a handful of statewide operators. Child care operators cater to specific clienteles, organized, for example, by neighborhoods, corporate sponsors, age group, special needs, and income.

LICENSED HOME-BASED FAMILY CHILD CARE

Licensed home-based family child care is provided in the home of an individual or family, licensed and regulated by the State Department of Social Services' Community Care Licensing Division under Title 22 of the California Code of Regulations and under the Health and Safety Code. The two types of licenses are described by Community Care Licensing below:

1. LARGE FAMILY CHILD CARE HOME

Large family child care homes may be licensed for a capacity of either 12 or 14. If licensed for 12, no more than 4 may be infants (0 to 2 yrs). If licensed for 14, 2 children must be at least 6 years of age and no more than 3 may be infants. The licensee's and assistant provider's children under age 10 are always counted in the capacity.

2. SMALL FAMILY CHILD CARE HOME

Small family child care homes may be licensed for a capacity of either 6 or 8. If licensed for 6, a provider may care for no more than 3 or 4 infants only (0 to 2 yrs). If licensed for 8, 2 children must be at least 6 years of age and no more than 2 may be infants. The licensee and assistant provider's children under age 10 are always counted in the capacity.

INFORMAL/LICENSE EXEMPT CARE

A child care facility that does not require a formal child care license. A license is not required for:

1. Any person providing care for the children of only one family, in addition to the operator's own children.
2. Any care and supervision of persons by a relative or guardian.
3. Certain public and private schools that operate a program before and/or after school for school-age children.
4. Certain public and private recreation programs.
5. Cooperative arrangements between parents that involve no payment.
6. Child care on federal lands.