

Policy 5148: Child Care And Development

Status: DRAFT

Original Adopted Date: 03/20/2017 | Last Revised Date: 09/12/2023 | Last Reviewed Date: 09/12/2023

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

~~The~~**Upon approval by the Board, the district** shall enter into a contract with the California Department of Social Services (CDSS) for the provision of child care and development services by the district.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

~~When a district child care program is physically closed by local or state public health order, the district shall provide distance learning when required to do so as a condition of funding or when required by law.~~

Eligibility, Enrollment, and Disenrollment

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218) (5 CCR 18271)

The Superintendent or designee shall ensure that subsidized child care services are provided to eligible families to the extent that state and/or federal funding is available and in accordance with enrollment priorities specified in Welfare and Institutions Code 10271 and 5 CCR 18106.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

So long as the district has submitted a completed incidental medical services plan to CDSS, a child may be enrolled in the district's child care and development program prior to approval of the plan. Additionally, for a child with disabilities, the child may attend the district's child care and development program prior to the approval of an incidental medical services plan or amended plan of operation, so long as the forms have been submitted to CDSS. (Health and Safety Code 1596.802)

~~A child's eligibility for transitional kindergarten enrollment shall not impact family eligibility for a childcare or preschool program. (Education Code 48000)~~**child care or preschool program. (Education Code 48000)**

A child shall not be expelled or unenrolled from the district's child care and development program, nor shall the child's parents/guardians be persuaded or encouraged to voluntarily unenroll from the program based on the child's behavior, unless in accordance with the procedures specified in the accompanying administrative regulation.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services as specified in the accompanying administrative regulation.

Fees and Charges

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services in accordance with law and the accompanying administrative regulation.

Staffing

The Superintendent or designee shall ensure that individuals working in child care and development programs have

the necessary qualifications, experience, and training, and have satisfied all legal requirements.

Facilities

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

For a licensed child care center, any complaint alleging health and safety violations shall be referred to CDSS. (5 CCR 4611)

Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in **BP/ARBoard Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures**.

Program Evaluation

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The results of the evaluation shall be used to develop an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
22 CCR 101151-101191	Licensing and application procedures
22 CCR 101151-101239.2	General requirements; licensed child care centers
22 CCR 101212-101231	Continuing requirements
22 CCR 101237-101239.2	Facilities and equipment
5 CCR 18000-18308	Early Learning and Care Programs
5 CCR 18012-18122	General requirements
5 CCR 18180-18192	Federal and state migrant programs
5 CCR 18210-18213	Severely handicapped program
5 CCR 18220-18231	Alternative payment program
5 CCR 18240-18249	Resource and referral program
5 CCR 18270-18281	Program quality; accountability
5 CCR 18290-18292	Staffing ratios

State	Description
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 18300-18308	Appeals and dispute resolution
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 80067-80067.3	Early Childhood Education Specialist Credential
5 CCR 80105-80125	Commission on Teacher Credentialing; child care and development permits
Ed. Code 46120	Expanded Learning Opportunities Program
Ed. Code 48000	Transitional kindergarten
Ed. Code 49540-49546	Child care food program
Ed. Code 49570	National School Lunch program
Ed. Code 56244	Staff development funding
Ed. Code 8200-8340	California State Preschool Program
Ed. Code 8207	California State Preschool Program administration
Ed. Code 8337	Early Education Expansion Program
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 120440	Disclosure of immunization information to local and state health departments
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers
W&I Code 10200-10206	Early Childhood Development Act of 2020
W&I Code 10207-10492.2	Child Care and Development Services Act
W&I Code 10217-10224.5	Resource and referral programs
W&I Code 10225-10234	Alternative payment programs
W&I Code 10235-10238	Migrant child care and development programs
W&I Code 10240-10243	General child care and development programs
W&I Code 10250-10252	Family child care home education networks
W&I Code 10260-10263	Child care and development services for children with special needs
W&I Code 10271	Eligibility, enrollment and priority of services; physical examinations; rules and regulations
W&I Code 10271.5	Income eligibility
W&I Code 10271.7	Family member certified as eligible to receive benefits; definition
W&I Code 10272.5	Order of disenrollment
W&I Code 10273	Preferred placement for otherwise eligible children ages 11 or 12
W&I Code 10276	Child Care and Development Fund notice to providers
W&I Code 10290	Fee schedule for families using preschool and child care and development services
W&I Code 10291	Families exempt from family fees
W&I Code 10315	Transfer of information to public schools
W&I Code 10332	Children residing in another district; use of facilities and personnel
W&I Code 10491-10491.1	Expulsion and suspension procedures in childcare and development services programs

State**Description****Federal**

20 USC 1232g

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

20 USC 1400-1482

[Individuals with Disabilities Education Act](#)

34 CFR 303.1-303.734

[Early Intervention Program for Infants and Toddlers with Disabilities](#)

42 USC 1751-1769j

[School Lunch Program](#)

42 USC 9831-9852c

Head Start programs

42 USC 9857-9858r

Child Care and Development Block Grant

45 CFR 98.1-98.93

Child Care and Development Fund

7 CFR 210.1-210.33

[National School Lunch Program](#)**Management Resources****Description**

Bipartisan Policy Center

[From the Ground Up: Improving Child Care and Early Learning Facilities, 2023](#)

CA Commission on Teacher Credentialing Publication

[Approval of Regulations Authorizing the New PK-3 Early Childhood Education Specialist Instruction Credential, Coded Correspondence 24-03, March 2024](#)

CA Dept of Social Services Publication

[AB 116 Implementation: Family Fee Changes, Child Care Bulletin No. 23-22, August 2023](#)

CA Dept of Social Services Publication

[Child Care Transition: The Early Childhood Development Act of 2020](#)

CA Dept of Social Services Publication

[American Rescue Plan Act Child Care & Development Division FAQ](#)

California Department of Education Publication

[Implementation of the Classroom Assessment Scoring System \(CLASS\) and CLASS Environment and Removal of the Environment Rating Scale for the California State Preschool Program \(CSPP\), Early Education Division Management Bulletin 23-10, December 2023](#)

Court Decision

CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services (2001) 91 Cal.App.4th 892

U.S. Department of Education Publication

[Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016](#)

Website

[Osteopathic Medical Board of California](#)

Website

[Medical Board of California](#)

Website

[California Department of Social Services, Child Care Licensing](#)

Website

[EveryChild California, an Association of Leaders Advancing Early Learning](#)

Website

[Office of Administrative Law](#)

Website

[Universal Prekindergarten, California's Great Start](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Commission on Teacher Credentialing](#)

Website

[California Association for the Education of Young Children](#)

Website

[California Department of Education, Early Education Division](#)

Website

[California Department of Education, Early Education Management Bulletins](#)

Website

[California Head Start Association](#)

Website

[California School-Age Consortium](#)

Website

[National Association for the Education of Young Children](#)

Management Resources

Website	U.S. Department of Health and Human Services
Website	Commission on Teacher Credentialing
Website	CSBA
Website	U.S. Department of Education
Website	California Department of Public Health

Cross References

	Description
0000	Vision
0100	Philosophy
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0500	Accountability
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures
1312.3-E PDF(2)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330.1	Joint Use Agreements
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3312	Contracts
3523	Electronic Signatures
3523	Electronic Signatures
3540	Transportation
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3580	District Records
3580	District Records
4112	Appointment And Conditions Of Employment

Cross References**Description**

4112.2	Certification
4112.2	Certification
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4131	Staff Development
4161.2	Personal Leaves
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4261.2	Personal Leaves
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4331	Staff Development
4361.2	Personal Leaves
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5030	Student Wellness
5111.1	District Residency
5111.1	District Residency
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records
5125	Student Records
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.26	Tuberculosis Testing
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5141.3	Health Examinations
5141.3	Health Examinations
5141.31	Immunizations

Cross References

5141.31

5141.52

5141.52

5141.6

5141.6

5145.6

5145.6-E(1)

5146

5148.2

5148.2

5148.3

5148.3

6020

6020

6142.7

6142.7

6154

6159

6159

6164.4

6164.4

6164.6

6164.6

6174

6174

6175

6175

6184

6184

7110

Description[Immunizations](#)[Suicide Prevention](#)[Suicide Prevention](#)[School Health Services](#)[School Health Services](#)[Parent/Guardian Notifications](#)[Parent/Guardian Notifications](#)[Married/Pregnant/Parenting Students](#)[Before/After School Programs](#)[Before/After School Programs](#)[Preschool/Early Childhood Education](#)[Preschool/Early Childhood Education](#)[Parent Involvement](#)[Parent Involvement](#)[Physical Education And Activity](#)[Physical Education And Activity](#)[Homework/Makeup Work](#)[Individualized Education Program](#)[Individualized Education Program](#)[Identification And Evaluation Of Individuals For Special Education](#)[Identification And Evaluation Of Individuals For Special Education](#)[Identification And Education Under Section 504](#)[Identification And Education Under Section 504](#)[Education For English Learners](#)[Education For English Learners](#)[Migrant Education Program](#)[Migrant Education Program](#)[Continuation Education](#)[Continuation Education](#)[Facilities Master Plan](#)