

**Policy 5148: Child Care And Development**

**Status:** ADOPTED

**Original Adopted Date:** ~~03/01/23/2013~~2009 | **Last Revised Date:** 04/06/201601/2023 | **Last Reviewed Date:** 01/24/2024

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.

~~(cf. 5148.2 -~~

~~Before/After School Programs)~~

~~(cf. 5148.3 - Preschool/Early Childhood Education)~~

~~(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)~~

~~(cf. 6175 - Migrant Education Program)~~

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

~~(cf. 3312 -~~

~~Contracts)~~

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.

~~(cf. 1020 - Youth Services)~~

~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)~~

~~(cf. 1700 - Relations Between Private Industry and the Schools)~~

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)

~~(cf. 0000-~~

~~When a district child care program is physically closed by local or state public health order, Vision)~~

~~(cf. 0100 - Philosophy)~~

~~(cf. 0200 - Goals for the School District)~~

district shall provide distance learning when required to do so as a condition of funding or when required by law.

## **Eligibility and Enrollment**

Child care admissions ~~Policies~~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)

~~(cf. 0410 - Nondiscrimination in District Programs and Activities)~~

~~(cf. 3540-~~

~~Transportation)~~

~~(cf. 3550 - Food Service/Child Nutrition Program)~~

~~(cf. 5141.22 - Infectious Diseases)~~

~~(cf. 5141.3 - Health Examinations)~~

~~(cf. 5141.31 - Immunizations)~~

The Superintendent Chief Learning Officer or designee shall ensure that subsidized child care ~~is~~services are provided to eligible families to the extent that state and/or federal funding is available and ~~shall establish in accordance with~~ enrollment priorities ~~in accordance with Education~~specified in Welfare and Institutions Code 826310271 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.

~~(cf. 5111.1 - District Residency)~~

~~(cf. 5146-~~

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

### **Staffing**

The Superintendent Chief Learning Officer ~~Married/Pregnant/Parenting Students)~~

Staffing

~~The Superintendent Chief Learning Officer~~ 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.

~~(cf. 1240-~~

~~Volunteer Assistance)~~

~~(cf. 4112.2 - Certification)~~

~~(cf. 4112.4/4212.4/4312.4 - Health Examinations)~~

~~(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)~~

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

### **Facilities**

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

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

~~(cf. 1330.1-~~

~~Joint Use Agreements)~~

~~(cf. 7110 – Facilities Master Plan)~~

The Superintendent Chief Learning Officer 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 the California Department of Social Services. ~~For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. 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/AR 1312.3 - Uniform Complaint Procedures.

~~(cf.~~

~~1312.3 – Uniform Complaint Procedures)~~

## Program Evaluation

The Superintendent Chief Learning Officer 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 report shall be submitted used to the Board and the CDE along with 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)~~

~~(cf. 0500 – Accountability)~~

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### 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	<a href="#">General requirements; licensed child care centers</a>
22 CCR 101212-101231	<a href="#">Continuing requirements</a>
22 CCR 101237-101239.2	<a href="#">Facilities and equipment</a>

<u>34 CFR 303.1-303.734</u>	<u>Early Intervention Program for Infants and Toddlers with Disabilities</u>
5 CCR 18000- <del>18308</del> 18434	<u>Early Learning Child care and Care Programs development programs</u>
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
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 80067-80067.2	Early Childhood Education Specialist Credential
5 CCR 80105-80125	Commission on Teacher Credentialing; child care and development permits
Ed. Code 46120	<del>Expanded Learning Opportunities Program</del> <u>Expanded Learning Opportunities Program</u>
Ed. Code 48000	<del>Transitional kindergarten</del> <u>Transitional kindergarten</u>
Ed. Code 49540-49546	<del>Child care food program</del> <u>Child care food program</u>
Ed. Code 49570	<del>National School Lunch program</del> <u>National School Lunch program</u>
Ed. Code 56244	<del>Staff development funding</del> <u>Staff development funding</u>
Ed. Code 8200-8340	<del>California State Preschool Program</del> <u>California State Preschool Program</u>
Ed. Code 8207	<del>California State Preschool Program administration</del> <u>California State Preschool Program administration</u>
Ed. Code 8337	Early Education Expansion Program
Ed. Code 8482-8484.65	<del>After School Education and Safety Program</del> <u>After School Education and Safety Program</u>
Ed. Code 8484.7-8484.9	<del>21st Century Community Learning Centers</del> <u>21st Century Community Learning Centers</u>
<u>Gov. Code 95000-95029.5</u>	<u>California Early Intervention Services Act</u>
H&S Code 120325-120380	<del>Immunization against communicable diseases</del> <u>Immunization against communicable diseases</u>

H&S Code 120440	Disclosure of immunization information to local and state health departments
H&S Code 1596.70-1596.895	<del>California Child Day Care Act</del> California Child Day Care Act
H&S Code 1596.90-1597.21	<del>Day care centers</del> Day care centers
W&I Code 10200-10206	<del>Early Childhood Development Act of 2020</del> Early Childhood Development Act of 2020
W&I Code 10207-10215	<del>General provisions</del> General provisions
W&I Code 10207-10492.2	<del>Child Care and Development Services Act</del> Child Care and Development Services Act
W&I Code 10217-10224.5	<del>Resource and referral programs</del> Resource and referral programs
W&I Code 10225-10234	<del>Alternative payment programs</del> Alternative payment programs
W&I Code 10235-10238	<del>Migrant child care and development programs</del> Migrant child care and development programs
W&I Code 10240-10243	<del>General child care and development programs</del> General child care and development programs
W&I Code 10250-10252	<del>Family child care home education networks</del> Family child care home education networks
W&I Code 10260-10263	<del>Child care and development services for children with special needs</del> Child care and development services for children with special needs
W&I Code 10271	<del>Eligibility, enrollment and priority of services; physical examinations; rules and regulations</del> Eligibility, enrollment and priority of services; physical examinations; rules and regulations
W&I Code 10271.5	<del>Income eligibility</del> Income eligibility
W&I Code 10271.7	Family member certified as eligible to receive benefits; definition
W&I Code 10272.5	<del>Order of disenrollment</del> Order of disenrollment
W&I Code 10273	<del>Preferred placement for otherwise eligible children ages 11 or 12</del> 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	<del>Fee schedule for families using preschool and child care and development services</del> Fee schedule for families using preschool and child care and development services
W&I Code 10291	<del>Families exempt from family fees</del> Families exempt from family fees
W&I Code 10315	<del>Transfer of information to public schools</del> 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
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
<del>34 CFR 303.1-303.734</del>	<del>Early Intervention Program for Infants and Toddlers with Disabilities</del>
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	<del>National School Lunch Program</del> National School Lunch Program
<b>Management Resources</b>	<b>Description</b>
CA Commission on Teacher Credentialing Publication	<del>Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to the PK-3 Childhood Education Specialist Credential, Coded Correspondence 23-02, February 10, 2023</del> Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to the PK-3 Childhood Education Specialist Credential, Coded Correspondence 23-02, February 10, 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
CA Dept of Social Services Publication	COVID-19 Licensed Child Care Facilities and Providers (FAQs)
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	<a href="#">Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016</a>
Website	<a href="#">Osteopathic Medical Board of California</a>
Website	<a href="#">Medical Board of California</a>
Website	<a href="#">California Department of Social Services, Child Care Licensing</a>
Website	<a href="#">EveryChild California, an Association of Leaders Advancing Early Learning</a>
Website	<a href="#">Office of Administrative Law</a>
Website	<a href="#">Universal Prekindergarten, California's Great Start</a>

Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Commission on Teacher Credentialing</a>
Website	<a href="#">California Association for the Education of Young Children</a>
Website	<a href="#">California Department of Education, Early Education Division</a>
Website	<a href="#">California Department of Education, Early Education Management Bulletins</a>
Website	<a href="#">California Head Start Association</a>
Website	<a href="#">California School-Age Consortium</a>
Website	<a href="#">National Association for the Education of Young Children</a>
Website	<a href="#">U.S. Department of Health and Human Services</a>
Website	<a href="#">Commission on Teacher Credentialing</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education</a>
Website	<a href="#">California Department of Public Health</a>

## Cross References

Code	Description
0000	<del>Vision</del> Vision
0100	<del>Philosophy</del> Philosophy
0200	<del>Goals For The School District</del> Goals For The School District
0410	<del>Nondiscrimination In District Programs And Activities</del> Nondiscrimination In District Programs And Activities
0500	<del>Accountability</del> Accountability
1240	<del>Volunteer Assistance</del> Volunteer Assistance
1240	<del>Volunteer Assistance</del> Volunteer Assistance
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
<del>1330</del> 1312.3	<del>Use Of School Facilities</del> Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1330	<del>Use Of School Facilities</del> Use Of School Facilities
1330-E PDF(1)	<del>Use Of School Facilities</del> Use Of School Facilities
1330.1	<del>Joint Use Agreements</del> Joint Use Agreements



1400	<del>Relations Between Other Governmental Agencies And The Schools</del> <u>Relations Between Other Governmental Agencies And The Schools</u>
1700	<del>Relations Between Private Industry And The Schools</del> <u>Relations Between Private Industry And The Schools</u>
3260	<del>Fees And Charges</del> <u>Fees And Charges</u>
3260	<del>Fees And Charges</del> <u>Fees And Charges</u>
3280	<del>Sale Or Lease Of District-Owned Real Property</del> <u>Sale Or Lease Of District-Owned Real Property</u>
3280	<del>Sale Or Lease Of District-Owned Real Property</del> <u>Sale Or Lease Of District-Owned Real Property</u>
3312	<del>Contracts</del> <u>Contracts</u>
<u>3523</u>	<u>Electronic Signatures</u>
<u>3523</u>	<u>Electronic Signatures</u>
3540	<del>Transportation</del> <u>Transportation</u>
3550	<del>Food Service/Child Nutrition Program</del> <u>Food Service/Child Nutrition Program</u>
3550	<del>Food Service/Child Nutrition Program</del> <u>Food Service/Child Nutrition Program</u>
3552	<del>Summer Meal Program</del> <u>Summer Meal Program</u>
3552	<del>Summer Meal Program</del> <u>Summer Meal Program</u>
3553	<del>Free And Reduced Price Meals</del> <u>Free And Reduced Price Meals</u>
3553	<del>Free And Reduced Price Meals</del> <u>Free And Reduced Price Meals</u>
3580	<del>District Records</del> <u>District Records</u>
3580	<del>District Records</del> <u>District Records</u>
4112	<del>Appointment And Conditions Of Employment</del> <u>Appointment And Conditions Of Employment</u>
4112.2	<del>Certification</del> <u>Certification</u>
4112.2	<del>Certification</del> <u>Certification</u>
4112.4	<del>Health Examinations</del> <u>Health Examinations</u>
4112.5	<del>Criminal Record Check</del> <u>Criminal Record Check</u>
4112.5-E-PDF(1)	<del>Criminal Record Check</del> <u>Criminal Record Check</u>
4112.6	<del>Personnel Files</del> <u>Personnel Files</u>
4131	<del>Staff Development</del> <u>Staff Development</u>
4131	<del>Staff Development</del> <u>Staff Development</u>
4161.2	<del>Personal Leaves</del> <u>Personal Leaves</u>

4212.4	<u>Health Examinations</u> Health Examinations
4212.5	<u>Criminal Record Check</u> Criminal Record Check
<u>4212.5</u>	<u>Criminal Record Check</u>
4212.6	<u>Personnel Files</u> Personnel Files
4231	<u>Staff Development</u> Staff Development
<del>4231</del>	<del>Staff Development</del>
4261.2	<u>Personal Leaves</u> Personal Leaves
4312.4	<u>Health Examinations</u> Health Examinations
4312.5	<u>Criminal Record Check</u> Criminal Record Check
<u>4312.5</u>	<u>Criminal Record Check</u>
4312.6	<u>Personnel Files</u> Personnel Files
4331	<u>Staff Development</u> Staff Development
<del>4331</del>	<del>Staff Development</del>
4361.2	<u>Personal Leaves</u> Personal Leaves
5022	<u>Student And Family Privacy Rights</u> Student And Family Privacy Rights
5022	<u>Student And Family Privacy Rights</u> Student And Family Privacy Rights
5030	<u>Student Wellness</u> Student Wellness
5111.1	<u>District Residency</u> District Residency
5111.1	<u>District Residency</u> District Residency
5117	<u>Interdistrict Attendance</u> Interdistrict Attendance
5117	<u>Interdistrict Attendance</u> Interdistrict Attendance
5125	<u>Student Records</u> Student Records
5125	<u>Student Records</u> Student Records
5141	<u>Health Care And Emergencies</u> Health Care And Emergencies
5141	<u>Health Care And Emergencies</u> Health Care And Emergencies
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.23	<u>Asthma Management</u> Asthma Management
5141.23	<u>Asthma Management</u> Asthma Management
5141.26	<u>Tuberculosis Testing</u> Tuberculosis Testing
5141.27	<u>Food Allergies/Special Dietary Needs</u> Food Allergies/Special Dietary Needs

5141.27	<u>Food Allergies/Special Dietary Needs</u> <u>Food Allergies/Special Dietary Needs</u>
5141.3	<u>Health Examinations</u> <u>Health Examinations</u>
5141.3	<u>Health Examinations</u> <u>Health Examinations</u>
5141.31	<u>Immunizations</u> <u>Immunizations</u>
5141.31	<u>Immunizations</u> <u>Immunizations</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.6	<u>School Health Services</u> <u>School Health Services</u>
5141.6	<u>School Health Services</u> <u>School Health Services</u>
5141.6-E PDF(1)	<u>School Health Services</u>
5145.6	<u>Parent/Guardian Notifications</u> <u>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u> <u>Parent/Guardian Notifications</u>
5145.6-E PDF(2)	<u>Parent/Guardian Notifications</u>
5146	<u>Married/Pregnant/Parenting</u> <u>Students</u> <u>Married/Pregnant/Parenting Students</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u> <u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u> <u>Preschool/Early Childhood Education</u>
6020	<u>Parent Involvement</u> <u>Parent Involvement</u>
6020	<u>Parent Involvement</u> <u>Parent Involvement</u>
6142.7	<u>Physical Education And Activity</u> <u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u> <u>Physical Education And Activity</u>
6154	<u>Homework/Makeup Work</u> <u>Homework/Makeup Work</u>
6159	<u>Individualized Education Program</u> <u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u> <u>Individualized Education Program</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u> <u>Identification And Evaluation Of Individuals For Special Education</u>

6164.4	<del>Identification And Evaluation Of Individuals For Special Education</del> <u>Identification And Evaluation Of Individuals For Special Education</u>
6164.6	<del>Identification And Education Under Section 504</del> <u>Identification And Education Under Section 504</u>
6164.6	<del>Identification And Education Under Section 504</del> <u>Identification And Education Under Section 504</u>
6174	<del>Education For English Learners</del> <u>Education For English Learners</u>
6174	<del>Education For English Learners</del> <u>Education For English Learners</u>
<u>6175</u>	<u>Migrant Education Program</u>
<u>6175</u>	<u>Migrant Education Program</u>
6184	<del>Continuation Education</del> <u>Continuation Education</u>
6184	<del>Continuation Education</del> <u>Continuation Education</u>
7110	<del>Facilities Master Plan</del> <u>Facilities Master Plan</u>