

Students
CHILD CARE AND DEVELOPMENT

BP 5148 (a)

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 Board 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 and Enrollment

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 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)
The Superintendent or designee shall ensure that subsidized child care is 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.

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 or designee shall ensure that individuals working in child care and

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BP 5148 (b)

development programs have the necessary qualifications 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/AR 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)

Legal Reference:

State

- 22 CCR 101151-101191: Licensing and application procedures
- 22 CCR 101151-101239.2: General requirement, licensed child care centers 22 CCR 101212-101231: Continuing requirements
- 22 CCR 101237-101239.2: Facilities and equipment
- 34 CFR 303.1-303.734: Early Intervention Program for Infants and Toddlers with Disabilities
- 5 CCR 18000-18434: Child care and development 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 18240-18248: Resource and referral program

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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: Expanded Learning Opportunities Program
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 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 10207-10215: General provisions
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

Federal

20 USC 1232g: Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482: Individuals with Disabilities Education Act
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

CA Commission on Teacher Credentialing Publication: 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

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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: 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

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

Policy Adopted: 9/13/2023

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California