



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES



EDMUND G. BROWN JR.
GOVERNOR

COMMUNITY CCARE LLICENSING DDIVISION

CHILD CARE UPDATE WINTER/SPRING 2011

To the Child Care Community

We are into the nineteenth year of our efforts to keep the child care community informed about licensing programs and services. The Updates continue to be an important method for sharing information. We appreciate your support in sharing these Updates with those in your organization and others interested in child care issues.

LICENSING MANAGEMENT INFORMATION



STATEWIDE CHILD CARE PROGRAM OFFICE NOW AT California Department of Social Services (CDSS) Headquarters

After sixteen years of separation from headquarters activity, the Statewide Child Care Program Office has relocated to the CDSS headquarters based in the twin towers at 744 P Street in downtown Sacramento.

The move relocated all programs within Community Care Licensing Division (CCLD) to be in-house with other CDSS headquarters program offices. The new main line telephone number for the Statewide Child Care Program is (916) 651-6040.

All staff e-mail addresses remain the same. However, all staff direct line telephone numbers have changed. If you wish to reach a staff member, please call the main line telephone number.

WHO'S RETIRING?

Gary Palmer, Chief, Technical Assistance and Policy Branch, CCLD

After 35 years in CCLD, Gary Palmer is retiring as Chief, Technical Assistance and Policy Branch. Gary has participated in almost every aspect of CCLD. He will surely be missed!

Due to the hiring freeze, there will be some temporary assignments as follows:

- Effective April 1, 2011, Gloria Merk, Program Administrator for the Child Care Program, will be the Acting Chief for the Technical Assistance and Policy Branch. She will also continue to lead CCLD's New Directions effort, and help assist with other administrative duties as necessary.
- Effective April 1, 2011, Paula d'Albenas, Assistant Program Administrator – North for the Child Care Program, will be the Acting Child Care Program Administrator.

Barbara Mordy, Regional Manager, San Jose Child Care Regional Office, CCLD

Barbara Mordy, Regional Manager of the San Jose Child Care Regional Office retired at the end of March. Barbara first came to CCLD as a Licensing Program Analyst in 1984 in the San Jose Office until her promotion to supervisor in 1988 in the San Bruno office. She returned to San Jose in 1990 as a Regional Manager over Children's Residential, and transferred to Child Care in 2006.

Barbara is well respected as a manager and has run one of the most efficient Regional Offices in the state. We will miss her a great deal and wish her all the best in her retirement!

LICENSING REQUIREMENTS

IMPLEMENTATION OF ASSEMBLY BILL 978 (Benoit), CHAPTER 291, STATUTES OF 2008

As of January 18, 2011, CCLD completed the final stage of implementing [Assembly Bill \(AB\) 978](#). In addition to the provisions of the bill which have already been implemented, an immediate civil penalty for designated serious violations at child care facilities will be assessed, as required by the bill.

AB 978 lists serious violations warranting an immediate civil penalty assessment of \$150 per day, per violation, for the following violations:

- ✓ Fire clearance violations, including: overcapacity, inoperable smoke alarms, and inoperable fire alarm systems (does not apply to Family Child Care Homes [FCCHs]);
- ✓ Absence of supervision, (a child left unattended, supervised by a person under age 18, or resulting in a child wandering away);
- ✓ Accessible bodies of water;
- ✓ Accessible firearms, ammunition or both;
- ✓ Refused entry of authorized licensing staff;
- ✓ Presence of an excluded person on the premises.
- ✓

CHAPTERED LEGISLATION 2010

Senate Bill (SB) 1116 (HUFF) Chapter 286, Statutes of 2010

Subject: Heritage School Instruction

Summary: [SB 1116](#) adds to the Education Code (EC) Sections 33195 – 33195.6

SB 1116 requires every person, firm, association, partnership or corporation operating a heritage school as defined in EC Section 33195.4 to file with the Superintendent an electronic registration form, under penalty of perjury, by the owner, between the 1st and 31st day of January of each year, beginning January 1, 2011.

EC Section 33195.6 (e) provides that a heritage school, as defined in EC Section 33195.4, shall not be subject to licensure by the State Department of Social Services as a child day care center pursuant to Chapter 3.4 (commencing with Section 1596.70) or Chapter 3.5 (commencing with Section 1596.90) of Division 2 of the Health and Safety Code).

For more information, please contact the [California Department of Education](#).

AB 2084 (BROWNLEY), Chapter 593, Statutes of 2010

Affects: Child Care Centers (CCCs) and FCCHs – No Action Required until January 2012.

Subject: Nutritious Beverages in Child Care Facilities

Summary: [AB 2084](#) added Section 1596.808 to the Health and Safety Code related to nutritious beverages and affects all licensed child care facilities. *The law will not go into effect until January 1, 2012* and will allow the department to adapt the provisions by bulletin, as specified. The new law requires CCCs and FCCHs to comply with the following beverage provisions:

- Whenever milk is served, serve only lowfat (one percent) milk or nonfat milk to children two years of age or older.
- Limit juice to not more than one serving per day of 100 percent juice.
- Serve no beverages with added sweeteners, either natural or artificial. “Beverages with added sweeteners” does not include infant formula or complete balanced nutritional products designed for children.
- Make clean and safe drinking water readily available and accessible to children throughout the day.

The law provides for the following exceptions to the bill’s requirements regarding beverages served at a licensed child day care facility:

- If a child has a medical necessity documented by a physician that includes the need for “medical food” as defined by Section 109971 of the Health and Safety Code, a licensed child care facility shall be exempt from complying with the beverage requirements to the extent necessary to meet the medical needs of that child.
- This section shall not apply to beverages at a licensed child day care facility that are provided by a parent or legal guardian for his or her child.

The CDSS will only determine compliance during a regularly scheduled, authorized inspection, and shall not be required to conduct separate and independent visits.

Since this law will not go into effect until January 1, 2012, specific implementation procedures will be published prior to that date.

For information on healthy beverages:

http://www.yaleruddcenter.org/resources/upload/docs/what/communities/EAT_Healthy_NH/Healthy_Beverages_English.pdf

Spanish:

http://www.yaleruddcenter.org/resources/upload/docs/what/communities/EAT_Healthy_NH/Healthy_Beverages_Spanish.pdf

Chinese:

http://www.yaleruddcenter.org/resources/upload/docs/what/communities/EAT_Healthy_NH/Healthy_Beverages_Chinese.pdf



EXTRA! EXTRA! Read All About It!



UPDATE ON THE "NEW DIRECTIONS" OF THE COMMUNITY CARE LICENSING DIVISION

The CCLD is continuing to test the Key Indicator Tools (KIT) that have been developed for use during inspections to facilities and homes to check for compliance with licensing standards. This test will be used to further refine the KIT Inspection protocol and develop additional tools for all facility types.

All inspections are still subject to all laws and regulations regardless of the type of inspection. For example, if during a KIT Inspection, CCLD observes a violation that is not listed on the KIT, CCLD will address that violation.

For additional information, visit the MYCCL website at http://www.mycl.ca.gov/default.asp?b=New_Directions

New Directions and Helping Our Military Families

CCLD Deputy Director, Jeffrey Hiratsuka, sparked New Directions as an answer to budget and staff reductions while maintaining health and safety standards and perhaps increasing efficiency of facility inspections. As it turns out, his timing could not have been better!

In the last year, the Department of Defense (DOD), who oversees “on-base” child care for military families, launched an initiative to expand the quality and quantity of community-based child care options for geographically dispersed reserve and active duty families, and for families waiting an extended amount of time for on-base child care.

Community-based child care facilities that provide care for families receiving military aide to pay for child care must meet DOD standards of care; however, they are required to be licensed and have a licensing inspection within the last 12 months. The quality of care provided in the “off-base” child care is comparable to on-base care because the participating facilities are nationally accredited and/or are credentialed providers.

Through the initiative, the DOD has partnered with the National Association of Child Care Resource and Referral Agencies (NACCRRRA), federal agencies, state officials, child care centers, and programs to respond to the need for more child care available for military families.

In California, the CDSS, CCLD's Child Care Program has partnered with DOD through efforts with NACCRRA and the California Resource and Referral Network to help those who serve in the military find affordable child care that suits their unique needs.

The challenge for CCLD's Child Care Program has been: How to assist California's military families in obtaining the child care services they deserve when in the midst of budget reductions, reduced staffing, and statute that differs from military standards.

Child Care Program Administrator, Gloria Merk, was already working with Deputy Director Hiratsuka to improve health and safety protections through frequent compliance monitoring and new prototype tools for a new inspection protocol. They decided what better way to test the new "KITs" than to implement them in the annual inspections required for the off-base child care facilities serving children of deployed military personnel.

As a result of the first test, the Child Care Program was able to conduct 350 inspections in six months to "off-base" child care facilities that offered military subsidized child care.

GENERAL HEALTH AND SAFETY INFORMATION

U.S. CONSUMER PRODUCT SAFETY COMMISSION BANS DROP-SIDE CRIBS

As a follow up to the article in our Summer 2010 *Child Care Update* on the recall of more than 2.1 million drop-side cribs, we now advise you that the federal U.S. Consumer Product Safety Commission (CPSC) has approved new mandatory standards to require fixed-side cribs.



The CPSC found that drop-side rails have come loose from cribs and created dangerous "V"-like gaps between mattresses and side rails where babies can be caught. These malfunctions have contributed to the suffocation and strangulation deaths of at least 32 babies since 2000. Additional deaths have resulted from defective or faulty hardware. More than 11 million cribs have been recalled by the CPSC since 2007.

The new standards banning drop-side cribs will affect all owners and operators of child care facilities, including FCCHs. The U.S. CPSC has developed an information document: "[Child Care Providers, Your Guide to New Crib Standards](#)". This information sheet provides guidance for child care providers on how to comply with the requirement. You may view the new requirements in their entirety at <http://www.cpsc.gov/businfo/frnotices/fr11/cribfinal.pdf> .

Additional information, including the Q & A document which addresses the most frequently asked questions, can be found at the CPSC's Crib Information Center website: <http://www.cpsc.gov/info/cribs/index.html>.

RECENT RECALLS

Dorel Juvenile Group of Columbus, Indiana recalls child safety seat due to safety harness problems

http://www.msnbc.msn.com/id/41585402/ns/health-kids_and_parenting/



THE HEALTHY, HUNGER-FREE KIDS ACT **Signed Into Federal Law, December 13, 2010**

Nutrition is an important part of a good child care program and food costs are a large portion of child care expenses. As such, many licensed child care providers elect to participate in the state and federally funded nutrition assistance program to better ensure that meals provided meet the guidelines for good nutrition, and to help offset care costs, or so that parents won't have to bring food to the child care for their children. The Food Nutrition Program reimburses licensed child care providers for a portion of their child care food costs, and therefore plays a vital role in improving the quality of child care and making it more affordable. Furthermore, it provides ongoing dietary training and closely monitors providers to ensure that they are complying with United States Department of Agriculture (USDA) regulations and guidelines.

[The Healthy, Hunger-Free Kids Act](#) has many important and excellent provisions for child nutrition programs. While many of these provisions will take time to implement, there are many that can start working now. Following are eight facts about the act that you need to know now:

1. Every state will be able to participate in the Afterschool Meal Program, allowing afterschool programs in low-income areas to receive federal funding to serve a full meal, and retroactive funding may be available.
2. Federally-funded jobs in state child nutrition and WIC agencies must now be excluded from state lay-offs and furloughs.
3. Nonprofits will be able to serve Summer Food at more sites to more low-income children.

4. New paperless options for universal meal service will mean that more schools with high percentages of low-income students will be able to feed all children at no charge.
5. Children may now be certified to receive WIC benefits for a full year at a time, rather than six months.
6. Less paperwork will make it easier for parents and family child care providers to enroll in the child care food program, and ensure that more children have healthy food in child care.
7. Nutrition education resources may be made available at no cost for parents and child care providers participating in the child care food program.
8. USDA is required to make significant nutrition improvements in school meals and eliminate junk food from vending machines.

Over the next two months, Food Research and Action Center (FRAC) will be hosting a series of introductory webinars dedicated to Child Nutrition Reauthorization and how to implement the new provisions. You may check the FRAC website periodically to learn more at www.FRAC.org.

SCAM CENTRAL

More Insurance Scams

Please be aware, providers are being targeted by individuals indicating that they represent insurance businesses in California. They give the provider the impression that they have connections with CCLD and that due to the licensee's compliant licensing record they are eligible for health insurance.

CCLD does not endorse insurance organizations for providers (liability, health or otherwise). If you are contacted by anyone presenting themselves to be associated with CCLD and trying to sell you insurance, please contact your local licensing office.

TRAINING

FAMILY CHILD CARE HOME ONLINE ORIENTATION PILOT

The new [Family Child Care Home Online Orientation pilot](#) went online March 7, 2011. This means that if you live in Monterey, San Benito, Santa Clara, Santa Cruz, Riverside, or San Bernardino County, you have the option to attend the orientation online rather than in person. The fee for the online orientation is \$25, plus a processing fee of \$5 (for a total of \$30), and must be paid by using either a credit card or a debit card with a Visa or Mastercard logo on it. We expect to have the FCCH online orientations available to all other areas of the state sometime this summer.

LICENSED CHILD CARE STATISTICS

Facility Type	Total Capacity	Total Licensed Facilities
Family Child Care Home*	356,795	35,933
Infant Center	45,654	2,031
Child Care Center	593,737	10,687
Child Care Center - School Age	138,987	2,533
Child Care Center - Mildly III Children	66	7
Total	1,135,239	51,191

***NOTE:** This includes facilities licensed by the state and those counties which license Family Child Care Homes (Del Norte, Inyo, and Sacramento). County licensing statistics are through December, 2010 per most recent report from Research and Development Division. Sacramento County did not report. State licensing statistics are through January, 2011.