

AMENDED IN ASSEMBLY MARCH 23, 2017

CALIFORNIA LEGISLATURE—2017—18 REGULAR SESSION

ASSEMBLY BILL

No. 605

Introduced by Assembly Member Mullin

February 14, 2017

~~An act to amend Section 1596.956 of the Health and Safety Code, relating to day care centers. An act to add Section 1596.951 to the Health and Safety Code, relating to care facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 605, as amended, Mullin. ~~Child day care centers: toddler programs.~~ *Day care centers: birth to first grade license option.*

Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of day care centers by the State Department of Social Services. Existing law requires the department to develop guidelines and procedures to permit licensed child day care centers serving infants and licensed child day care centers serving preschool age children to create a special program component for children between 18 months to 3 years of age. Existing regulations require a separate license to be issued for each component of a combination center, and establishes teacher-child ratio requirements.

This bill would require the department to adopt regulations on or before January 1, 2019, to develop and implement a birth to entering first grade license option for day care centers. The bill would require the regulations to include age-appropriate transition times, as specified, a requirement that a single integrated license option list the age groups of children being served at the day care center, and a requirement that all other licensing regulations that apply to a day care center shall also apply to a birth to entering first grade license option. The bill would

require, until a day care center has the new integrated license, standards for inspection of a day care center to be based on the current license.

~~Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of day care centers by the State Department of Social Services. Existing law requires the department to develop guidelines and procedures to authorize licensed child day care centers serving infants to create a special program component for children between 18 months to three years of age.~~

~~This bill would make technical, nonsubstantive changes to those provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1596.951 is added to the Health and
2 Safety Code, to read:
3 1596.951. (a) The department shall adopt regulations on or
4 before January 1, 2019, to develop and implement a birth to
5 entering first grade license option for day care centers. Regulations
6 adopted pursuant to this section shall include all of the following:
7 (1) Age-appropriate transition periods that do all of the
8 following:
9 (A) Allow children to transition from one age group to another
10 age group up to three months before or three months after their
11 birthday.
12 (B) Take the needs of the whole age group into consideration
13 in order to move children together.
14 (C) Consider continuity of care of the children and parents
15 being served.
16 (D) Consider the needs of the day care center licensees to
17 maximize spaces being used.
18 (2) A requirement that when a birth to entering first grade
19 license option is being issued to a new or current day care center
20 licensee, the licensee shall list the age groups of children being
21 served at the day care center for the purposes of license
22 inspections, data collection management, and county needs
23 assessments.

1 (3) A requirement that all other licensing regulations that apply
2 to a day care center shall also apply to a birth to entering first
3 grade license option.

4 (b) (1) A new applicant for a birth to entering first grade license
5 option may be charged a regulatory fee commensurate with the
6 other age specific facility license fee schedules.

7 (2) Until an existing day care center license has been replaced
8 with a birth to entering first grade license option, a day care center
9 licensee shall maintain a day care center that meets regulatory
10 standards for the age groups of children that are being cared for
11 at the day care center, and standards for inspection of a day care
12 center shall be based on the current license.

13 SECTION 1. ~~Section 1596.956 of the Health and Safety Code~~
14 ~~is amended to read:~~

15 ~~1596.956. (a) The department shall develop guidelines and~~
16 ~~procedures to authorize licensed child day care centers serving~~
17 ~~infants to create a special program component for children between~~
18 ~~18 months to three years of age. The optional toddler program~~
19 ~~shall be subject to the following basic conditions:~~

20 ~~(1) An amended application shall be submitted to, and approved~~
21 ~~by, the department.~~

22 ~~(2) A child younger than 18 months of age shall not be moved~~
23 ~~into the toddler program. A child who is older than 18 months of~~
24 ~~age shall not be required to be in the toddler program.~~

25 ~~(3) Parents shall give permission for the placement of their~~
26 ~~children in the toddler program.~~

27 ~~(4) A ratio of six children to each teacher shall be maintained~~
28 ~~for all children in attendance at the toddler program. An aide who~~
29 ~~is participating in on-the-job training may be substituted for a~~
30 ~~teacher when directly supervised by a fully qualified teacher.~~

31 ~~(5) The maximum group size, with two teachers, or one fully~~
32 ~~qualified teacher and one aide, shall not exceed 12 toddlers.~~

33 ~~(6) The toddler program shall be conducted in areas separate~~
34 ~~from those used by older or younger children. Plans to alternate~~
35 ~~use of outdoor play space may be approved to achieve separation.~~

36 ~~(7) All other infant center regulations shall be complied with.~~

37 ~~(b) The toddler program shall be considered an extension of the~~
38 ~~infant center license, without the need for a separate license.~~

39 ~~(c) The department shall immediately prepare proposed~~
40 ~~regulations for public hearing that would consider the foregoing~~

1 ~~basic conditions as well as any additional health and safety~~
2 ~~safeguards deemed necessary for this age group.~~

3 ~~(d) The guidelines in subdivision (a) shall remain in force and~~
4 ~~effect only until regulations implementing this section are adopted~~
5 ~~by the department.~~

6 ~~(e) Commencing January 1, 2016, a day care center with a~~
7 ~~toddler program described in this section shall extend the toddler~~
8 ~~program to serve children between 18 months and three years of~~
9 ~~age. It is the intent of the Legislature to provide continuity of care~~
10 ~~to California's children and parents in the implementation of this~~
11 ~~subdivision.~~