



## How To Get A Child Care Center License

Perhaps you have been doing family child care in your own home and are ready for a change. Perhaps you have been working in someone else's child care center, teaching school or working in another profession and have made a decision to become your own boss. Now you would like to open your own program in an out-of-home setting.

Whether you call your new venture a center, a preschool, a nursery school or a parent cooperative, the document you will need to do this is called a child care center license. Every year many more people set out to get a center license than actually obtain one. The licensing process requires that you have a reasonable amount of working capital (m-o-n-e-y) to launch your venture, and it takes a good deal of persistence and patience to wend your way through the process. But it can be done! **BANANAS** has designed this Handout to assist you with the process – one step at a time.

### WHO NEEDS A CHILD CARE CENTER LICENSE?

In the State of California, there are two types of child care licenses: family child care licenses for people who work in their own homes caring for children and child care center licenses for others, such as yourself, who wish to provide child care services in a non-home setting. The entity seeking a center license can be an individual, a group of people, a corporation, or an institution. The key is that you are going to be caring for children in a setting other than your own home. You must apply for a license if you want to:

- Open a new center or preschool (part or full day)
- Purchase an existing center – the license is not transferable
- Move your program to a new site – you and your site are licensed
- Continue to operate a program after a change in the legal status of the licensee – for example, operating a center as an individual after the dissolution of a corporation or partnership which held the license.



Once you obtain a license, you must apply for a change in the license if you want to:

- Expand the number of children in your care
- Extend the hours of operation
- Change the age range of the children you are currently licensed for.

### ARE THERE ANY OUT-OF-HOME CHILD CARE PROGRAMS THAT DON'T REQUIRE A LICENSE?

Yes, certain types of programs can operate without a license. However, as the law governing exemptions changes frequently, you should contact the Department of Social Services, Community Care Licensing (CCL) if you have any questions about the status of the program you are planning. You can also contact **BANANAS** and we can send a copy of the regulations that describe license-exempt programs. Exempt programs currently include:

- Cooperative arrangements where parents rotate responsibility and no money changes hands. The person (or persons) providing care must be in some way related to at least one child in the cooperative, and no more than 12 children are receiving care.
- Extended care programs operated by public or private schools, serving at least 85% of their own students.
- Vacation-time activities for children of an instructional nature in a classroom setting. When added together, sessions offered cannot exceed a total of 30 days when schoolage children are enrolled or 15 days when younger children are enrolled.
- Any program which offers temporary child care services. (Parents must remain on the same premises and the program may not be operated at a ski facility, shopping mall or department store.)
  - Public (such as city, county, or school district) recreation programs (not YMCA, Girl's Club, etc.). School-age programs must operate during hours other than normal school hours and must be less than 16 hours per week or 12 weeks

per year. Preschool programs must be less than 12 hours per week and 12 weeks per session.

- Programs run by school districts for children of teen parents.
- Adult education child care operated by a public school district.

You can learn more about the regulations regarding license-exempt programs at:

<http://www.cdss.ca.gov/ord/entres/getinfo/pdf/ccg.pdf>

If you think the program you want to operate fits the description of one of these exempt types of care, then you should write the CCL office, describe your planned activities and ask for written verification that your particular center-based program does not need to be licensed. Otherwise, keep reading....



## WHO ISSUES A CHILD CARE CENTER LICENSE?

The agency which issues licenses for centers in the State of California is the **Community Care Licensing (CCL) Division** of the **Department of Social Services**. The CCL office for this area is located at **1515 Clay St., Suite 200, Oakland, CA 94612, (510) 622-2602**. The regulations used in licensing are taken from the California Code of Regulations, Title 22, Division 6. You may obtain a copy of the Title 22 regulations online at: [www.cdss.ca.gov/ord/PG587.htm](http://www.cdss.ca.gov/ord/PG587.htm). Your new license must be renewed annually. The renewal fee is based on the number of children listed on your license. First year fees are payable when you submit your application and are not refundable for any reason. You will also have to pay for fingerprint clearances and child abuse index checks for you and your staff. In addition to CCL, there are other entities (fire departments, zoning departments, etc.) which are involved in the licensing process at the local level. There may also be fees for local business licenses, use permits and inspections. It takes time to obtain a center license. Give yourself a minimum of nine months from start to finish.

## THE STEP BY STEP PROCESS...

In this Handout, we will briefly outline each step you need to take to obtain your license. It is a complicated process that requires organization to be successful. The steps should be completed in order, but as you will see, several steps can be worked on at the same time.

## THE FIRST CCL ORIENTATION MEETING

Go to an Application Orientation, the first of two CCL orientations which you will have to attend before you become licensed. You don't need to have a site to attend. There are two ways to attend an orientation: 1) at an in-person meeting where a licensing analyst goes over all the information involved in getting licensed and answers

participants' questions or 2) online. Preregistration and payment is required before attending.

The in-person orientations are held monthly at the CCL office and costs \$50. Only checks or money orders are accepted. Send payment, along with a registration form that should include the date you would like to attend, to 1515 Clay St., Suite 1102, Oakland, CA 94612. You can find the registration form and dates at, <http://cclid.ca.gov/res/pdf/BayAreaOrientationSchedule.pdf>. Online orientations cost \$54.85 and can be registered for at, <http://cclid.ca.gov/PG2919.htm>.

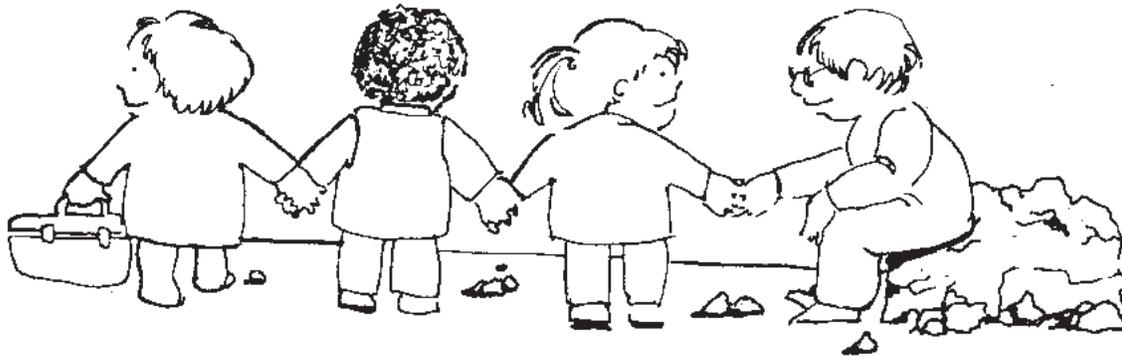
You will be asked to bring a photo ID to all orientation sessions. The first meeting will give you an overview of the process and detailed information about filling out your application. If you are unsure about going forward with your plans at this time, the information presented at the first orientation session can help you make a decision. If you go ahead with your plans to open a center, you must attend the Operations & Record Keeping Orientation at the CCL office. This orientation explains the details of the CCL's continuing requirements and it can be useful

to attend this session before you turn in your application. **Note:** The person who will be the Center Director must attend the second orientation. There may be an additional meeting scheduled with a licensing analyst at your site as well. During this private session your licensing analyst will discuss staffing and other licensing issues.

### SEARCHING FOR A SITE

There is no point in actively seeking your license until you have found a site which will meet (or, which you can afford to renovate to meet) the licensing requirements. The process of finding a site is probably the most time-consuming and frustrating part of opening a center. Although there are many site requirements, here are a few basic considerations:

- You will need 35 square feet of usable indoor play space



per child and 75 square feet of outdoor space per child.

**Note:** California law requires that children of different age groups must be kept separated. The age groups are defined as: Infant: 0 to 2 years-old, Preschool: 2 to 5 years-old, and Schoolage: Kindergarten through 12th grade. You may apply for a "toddler option" which allows you to group 1.6 to 3 year-old children.

- There must be separate bathroom facilities for staff and a toilet and sink for every 15 children.
- Fire regulations restrict child care sites to the first floor unless they meet specific fire code regulations such as automatic sprinkler systems, exclusive exits, fire resistant construction, etc. Some city fire departments may be willing to schedule a pre-licensing visit to give you a sense about how the property may fare during an official inspection.
- Always check with the city planning and zoning department to see if you will need to apply for a conditional use permit. (Call **BANANAS** for more information on these regulations.)

### SELECTING A DIRECTOR FOR YOUR PROGRAM

You will need that person's transcripts, course descriptions and written verification of experience in order to

complete the application packet. Remember, the director must also accompany you to the second and any additional meetings required by CCL. (Call **BANANAS** for more information about staff requirements and hiring.)

### DECIDING ON A BUSINESS STRUCTURE

Start the incorporation process if you plan to operate a profit-making or nonprofit corporation. Information on the filing process and fees is available from the **Secretary of State, 1500 11th Street, Sacramento, CA 95814, (916) 653-6814, [www.sos.ca.gov](http://www.sos.ca.gov).**

### THE LICENSING APPLICATION

Complete the Section A and B documents in the CCL application booklet which are required for child care centers. Gathering these documents can take some

time – so start this step as soon as possible. Both Sections should be, at a minimum, legible and neat and, if possible, typed. (If your application is returned to you because it is incomplete, take more time, finish all forms and resubmit.)

### FINGERPRINT AND CHILD ABUSE INDEX FORMS

When your application is accepted, you will be mailed fingerprint and child abuse index cards and **LIVESCAN** applications for each person named as an applicant, including your director and any other staff identified in the application. **LIVESCAN** is a computer imaging process that can be accessed at the Community Care Licensing office. Call **(800) 315-4507** to make an appointment.

### SCHEDULING A SITE VISIT

Once your application has been accepted, you will receive an appointment for a pre-licensing site visit. At the site visit your facility will be inspected and the analyst will review its safety features and furnishings. S/he will also be checking the square footage of your indoor and outdoor space to determine exactly how many children you will be allowed to care for. At this time, the center

must be ready as if ready to receive children, with enough equipment and supplies in place to accommodate the number of children you want to be licensed to serve. If you have additional changes to make at the site, you will be notified verbally by the analyst and on the written "Report of the Field Visit." Additional visits will be scheduled if corrections are required. You must pass this CCL inspection in order to be licensed. **NOTE:** You can work on obtaining your use permit and fire clearance while you are completing your orientation sessions.

### MISCELLANEOUS REQUIREMENTS

- Apply for a Use Permit.
- Apply for any business licenses or other requirements of the city in which your program is going to be located.
- Begin shopping for insurance (fire, theft and liability).
- If you have decided to incorporate, continue that process while you are doing everything else!
- Be available if the fire marshal wants to inspect your facility before you finish the use permit process.

**NOTE:** You may fail to receive a use permit due to community resistance or be required to make changes to your facility before your permit will be issued (for example, add more off-street parking, build a fence, plant bushes as a sound barrier, etc.). You can call **BANANAS** for advice on addressing the concerns of planning departments and neighbors.

### OBTAINING A FIRE CLEARANCE

Once your completed application is on file with CCL, that office will notify the local fire marshal to inspect your site. As already mentioned, the marshal may call and make an appointment while you are in the midst of the use permit process. Obtaining a use permit does not guarantee that you will receive your fire clearance and vice versa.

When the fire marshal inspects your site, s/he will inform you of any necessary renovations. The marshal will return to reinspect if changes are needed (which happens frequently). When you are through with this process, you will get a clearance for your files and the report will be sent to the local CCL office. You must clear this hurdle – a denial of a fire clearance means a denial of the license.

### COMPLETING THE PROCESS

Check with your CCL licensing analyst to be sure your application materials are complete. A license will not be issued until all the following steps are finalized:

- All your application forms are submitted and approved.
- Your facility has a fire clearance on file with CCL.
- You have a valid use permit on file.
- You have a qualified director who has attended the second and third orientation sessions.
- Fingerprint and child abuse index clearances for the applicant(s) and the director are on file at the CCL office.
- The facility and its grounds have been inspected and approved by CCL staff.
- You have certificates of completion from all orientation sessions.

Your license is usually issued within 90 days of your application being accepted. However, things don't often (if ever) go this smoothly. If it takes you three months to get a use permit or fire clearance, you will be stuck in the licensing process until you clear those hurdles. Wait a reasonable amount of time after completing the required steps and then check with your analyst to make sure your license is "in the works."

**NOTE:** Wait for the approval of your license from CCL before you begin caring for children.

In the meantime:

- Begin interviewing and hiring the remainder of your staff and ask them to complete and return their fingerprint and child abuse index forms.
- Plan a campaign to advertise your new program.
- Design and print flyers to post on local bulletin boards and distribute in your neighborhood. Investigate advertising in publications like "Parents' Press" and Craig's List.
- Make sure your center will be listed in both the white and the yellow pages of the next edition of the phone book.
- Secure liability insurance (if you haven't already done so). The fire and theft insurance on the facility should already be finalized.
- Put together a website.

Then one day when you least expect it, you will find your license in the mail. Your hard work and perseverance have paid off and you are now ready to begin that most important job of caring for children. As soon as you receive your license, call **BANANAS** to be listed in our files.