

# **MODESTO CITY SCHOOLS**

## **Board Policy**

**BP 5148**

### **STUDENTS**

#### **Child Care and Development**

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 Education (CDE) and/or 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 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)

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The Superintendent or designee shall ensure that subsidized child care services are 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 5CCR 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 development programs have the necessary qualifications, experience, and training, 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)

**STUDENTS****Child Care and Development****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 CCR18279-18281)

*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.*

<i>State</i>	<i>Description</i>
22 CCR 101151-101191	Licensing and application procedures
22 CCR 101151-101239.2	General requirements; 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 18240-18249	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	Expanded Learning Opportunities Program

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*Ed. Code 48000*  
*Ed. Code 49540-49546*  
*Ed. Code 49570*  
*Ed. Code 56244*  
*Ed. Code 8200-8340*  
*Ed. Code 8207*

*Ed. Code 8337*  
*Ed. Code 8482-8484.65*

*Ed. Code 8484.7-8484.9*

*H&S Code 120325-120380*

*H&S Code 120440*

*H&S Code 1596.70-1596.895*  
*H&S Code 1596.90-1597.21*  
*W&I Code 10200-10206*

*W&I Code 10207-10215*  
*W&I Code 10207-10492.2*

*W&I Code 10217-10224.5*  
*W&I Code 10225-10234*  
*W&I Code 10235-10238*

*W&I Code 10240-10243*

*W&I Code 10250-10252*

*W&I Code 10260-10263*

*W&I Code 10271*

*W&I Code 10271.5*  
*W&I Code 10271.7*

*W&I Code 10272.5*  
*W&I Code 10273*

*W&I Code 10276*

*W&I Code 10290*

*W&I Code 10291*  
*W&I Code 10315*

*W&I Code 10332*

*Transitional kindergarten*  
*Child care food program*  
*National School Lunch program*  
*Staff development funding*  
*California State Preschool Program*  
*California State Preschool Program*  
*administration*  
*Early Education Expansion Program*  
*After School Education and Safety*  
*Program*  
*21st Century Community Learning*  
*Centers*  
*Immunization against communicable*  
*diseases*  
*Disclosure of immunization information*  
*to local and state health departments*  
*California Child Day Care Act*  
*Day care centers*  
*Early Childhood Development Act of*  
*2020*  
*General provisions*  
*Child Care and Development Services*  
*Act*  
*Resource and referral programs*  
*Alternative payment programs*  
*Migrant child care and development*  
*programs*  
*General child care and development*  
*programs*  
*Family child care home education*  
*networks*  
*Child care and development services for*  
*children with special needs*  
*Eligibility, enrollment and priority of*  
*services; physical examinations; rules*  
*and regulations*  
*Income eligibility*  
*Family member certified as eligible to*  
*receive benefits; definition*  
*Order of disenrollment*  
*Preferred placement for otherwise*  
*eligible children ages 11 or 12*  
*Child Care and Development Fund*  
*notice to providers*  
*Fee schedule for families using*  
*preschool and child care and*  
*development services*  
*Families exempt from family fees*  
*Transfer of information to public*  
*schools*  
*Children residing in another district;*  
*use of facilities and personnel*

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*W&I Code 10491-10491.1*

*Expulsion and suspension procedures in  
childcare and development services  
programs*

*Federal*

*Description*

*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*

*Description*

*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*

*CA Dept of Social Services Publication*

*Child Care Transition: The Early  
Childhood Development Act of 2020  
American Rescue Plan Act Child Care &  
Development Division FAQ*

*CA Dept of Social Services Publication*

*COVID-19 Licensed Child Care*

*CA Dept of Social Services Publication*

*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*

*Website*

*Services, Child Care Licensing*

*Website*

*EveryChild California, an Association of  
Leaders Advancing Early Learning*

*Website*

*Office of Administrative Law*

*Universal Prekindergarten, California's  
Great Start*

*Website*

*CSBA District and County Office of*

*Website*

*Education Legal Services*

*California Commission on Teacher  
Credentialing*

*Website*

*California Association for the*

*Education of Young Children*

*Website*

*California Department of Education,  
Early Education Division*

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<i>Website</i>	<i>California Department of Education, Early Education Management Bulletins</i>
<i>Website</i>	<i>California Head Start Association</i>
<i>Website</i>	<i>California School-Age Consortium</i>
<i>Website</i>	<i>National Association for the Education of Young Children</i>
<i>Website</i>	<i>U.S. Department of Health and Human Services</i>
<i>Website</i>	<i>Commission on Teacher Credentialing</i>
<i>Website</i>	<i>CSBA</i>
<i>Website</i>	<i>U.S. Department of Education</i>
<i>Website</i>	<i>California Department of Public Health</i>
<i>Cross References</i>	
<i>Code</i>	<i>Description</i>
<i>0000</i>	<i>Vision</i>
<i>0100</i>	<i>Philosophy</i>
<i>0200</i>	<i>Goals For The School District</i>
<i>0410</i>	<i>Nondiscrimination In District Programs And Activities</i>
<i>0500</i>	<i>Accountability</i>
<i>1240</i>	<i>Volunteer Assistance</i>
<i>1312.3</i>	<i>Uniform Complaint Procedures</i>
<i>1312.3-E(1)</i>	<i>Uniform Complaint Procedures</i>
<i>1312.3-E(2)</i>	<i>Uniform Complaint Procedures</i>
<i>1330</i>	<i>Use Of School Facilities</i>
<i>1330-E(1)</i>	<i>Use Of School Facilities</i>
<i>1330.1</i>	<i>Joint Use Agreements</i>
<i>1400</i>	<i>Relations Between Other Governmental Agencies And The Schools</i>
<i>1700</i>	<i>Relations Between Private Industry And The Schools</i>
<i>3260</i>	<i>Fees And Charges</i>
<i>3280</i>	<i>Sale Or Lease Of District-Owned Real Property</i>
<i>3312</i>	<i>Contracts</i>
<i>3523</i>	<i>Electronic Signatures</i>
<i>3540</i>	<i>Transportation</i>
<i>3550</i>	<i>Food Service/Child Nutrition Program</i>
<i>3552</i>	<i>Summer Meal Program</i>
<i>3553</i>	<i>Free And Reduced Price Meals</i>
<i>3580</i>	<i>District Records</i>
<i>4112</i>	<i>Appointment And Conditions Of Employment</i>
<i>4112.2</i>	<i>Certification</i>
<i>4112.4</i>	<i>Health Examinations</i>
<i>4112.5</i>	<i>Criminal Record Check</i>
<i>4112.5-E(1)</i>	<i>Criminal Record Check</i>
<i>4112.6</i>	<i>Personnel Files</i>
<i>4131</i>	<i>Staff Development</i>
<i>4161.2</i>	<i>Personal Leaves</i>
<i>4212.4</i>	<i>Health Examinations</i>
<i>4212.5</i>	<i>Criminal Record Check</i>

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<i>4212.5-E(1)</i>	<i>Criminal Record Check</i>
<i>4212.6</i>	<i>Personnel Files</i>
<i>4231</i>	<i>Staff Development</i>
<i>4261.2</i>	<i>Personal Leaves</i>
<i>4312.4</i>	<i>Health Examinations</i>
<i>4312.5</i>	<i>Criminal Record Check</i>
<i>4312.5-E(1)</i>	<i>Criminal Record Check</i>
<i>4312.6</i>	<i>Personnel Files</i>
<i>4331</i>	<i>Staff Development</i>
<i>4361.2</i>	<i>Personal Leaves</i>
<i>5022</i>	<i>Student And Family Privacy Rights</i>
<i>5030</i>	<i>Student Wellness</i>
<i>5111.1</i>	<i>District Residency</i>
<i>5117</i>	<i>Interdistrict Attendance</i>
<i>5125</i>	<i>Student Records</i>
<i>5141</i>	<i>Health Care And Emergencies</i>
<i>5141.22</i>	<i>Infectious Diseases</i>
<i>5141.23</i>	<i>Asthma Management</i>
<i>5141.26</i>	<i>Tuberculosis Testing</i>
<i>5141.27</i>	<i>Food Allergies/Special Dietary Needs</i>
<i>5141.3</i>	<i>Health Examinations</i>
<i>5141.31</i>	<i>Immunizations</i>
<i>5141.52</i>	<i>Suicide Prevention</i>
<i>5141.6</i>	<i>School Health Services</i>
<i>5145.6</i>	<i>Parent/Guardian Notifications</i>
<i>5145.6-E(1)</i>	<i>Parent/Guardian Notifications</i>
<i>5146</i>	<i>Married/Pregnant/Parenting Students</i>
<i>5148.2</i>	<i>Before/After School Programs</i>
<i>5148.3</i>	<i>Preschool/Early Childhood Education</i>
<i>5148.3</i>	<i>Preschool/Early Childhood Education</i>
<i>6020</i>	<i>Parent Involvement</i>
<i>6142.7</i>	<i>Physical Education And Activity</i>
<i>6154</i>	<i>Homework/Makeup Work</i>
<i>6159</i>	<i>Individualized Education Program</i>
<i>6164.4</i>	<i>Identification And Evaluation Of</i>
	<i>Individuals For Special Education</i>
<i>6164.4</i>	<i>Identification And Evaluation Of</i>
	<i>Individuals For Special Education</i>
<i>6164.6</i>	<i>Identification And Education Under</i>
	<i>Section 504</i>
<i>6174</i>	<i>Education For English Learners</i>
<i>6175</i>	<i>Migrant Education Program</i>
<i>6184</i>	<i>Continuation Education</i>
<i>7110</i>	<i>Facilities Master Plan</i>