

DO I NEED A CHILD CARE FACILITY LICENSE?

If you are providing care and supervision to children in your care, chances are you need a license.

Operating without a license is a misdemeanor and subject to a \$200 per day fine. You may also be subject to criminal charges by local law enforcement.

However, there are some child care programs that are *license-exempt*.

What is license-exempt child care?

License-exempt child care is a child care program that can legally operate without a license, and licensing standards do not apply to them. Examples of some of the types of providers who are license-exempt are:

- Relatives of a child/children being cared for (i.e., spouses, parents, adult siblings, aunts, uncles, first cousins, step-relatives and grandparents)
- Any arrangement providing care for children of only one family in addition to the operator's own children.
- Cooperative arrangements (Co-Ops) between parents for the care of their children when
 - ✓ Caregivers do not receive payment for services
 - ✓ Parents rotate responsibility for care of all of the children equally among themselves
 - ✓ Every caregiver is a parent, legal guardian, or adult relative of at least one child in the Co-Op
 - ✓ No more than 12 children are cared for at any given time by any provider/parent.
- Public/private schools
- Before and after school programs/extended day care programs operated by public/private schools.
- Recreation programs operated by Boy and Girl Scouts, Boys and Girls Club, YMCA, and similar organizations
- Public recreation programs
- Organized Camps as defined in Health and Safety Code Section [18897](#).
- Certain school parenting programs or adult education child care programs.
- Temporary child care services provided to parents who are on the same premises as the site of the child day care program. *This does not include child care programs operated on the site of a ski facility, shopping mall or department store.*
- After School Education Safety Programs as defined in Education Code Section 8482 – 8484.3
- Registered Heritage Schools as defined in Education Code Section [33195](#).

The above are only examples of common situations that are considered license-exempt. It is your responsibility to determine the need for licensure under the Child Day Care Act.

Still Unsure If You Need A License?

If you are still unsure if you need a license, or have questions regarding licensure as a child care facility, you may contact the [local Child Care Licensing Regional Office](#) in your area, or your local [California Resource and Referral Agency](#) for assistance.