

License-Exempt Child Care

Family, Friend, and Neighbor Care



The state of California requires that child care centers and family child care homes obtain a license from the Department of Social Services' Community Care Licensing Division in order to operate legally. These licensed providers must follow licensing requirements and regulations that have been established to ensure a basic level of health and safety in child care facilities. License-exempt child care (also referred to as informal child care or family friend and neighbor care) refers to child care providers who can operate legally without a license. While license-exempt providers do not have to adhere to licensing regulations, they must register with TrustLine, and complete a Health and Safety Self-Verification if they receive payment from state or federal child care subsidy programs and they are not a close relative of the children in their care.¹ TrustLine is California's registry for license-exempt child care providers; all registrants have been fingerprinted and have received a clean background check from the California Department of Justice and the Federal Bureau of Investigation.

There are a variety of providers who are considered exempt from licensing, including:

- Relatives of the children in care.² There is currently no maximum number of children that a license-exempt provider can legally care for.³
- Providers who care for the children of only one family in addition to their own children, such as nannies and au pairs.
- Cooperative child care arrangements between parents where no payment is involved, all parents share care giving responsibilities equally, and there are no more than 12 children receiving care.
- Public recreation programs for school-age children or that operate part-time or seasonally, extended day care programs, programs that operate a minimum number of hours a week, and ancillary child care (where the parents are on the premises).⁴

Although license-exempt child care workers fill an important role in working families' lives, they often receive less funding and support than licensed child care centers and licensed family child care homes. While in statute license-exempt providers' maximum reimbursement rate is set at 70% of the rate paid to family child care providers, they currently receive only 30% or less, equating to about \$3 per hour.⁵

1. California Health and Safety Code § 159.66(a), California Education Code § 8358(a).

2. DSS Evaluator Manual 06FCCH-01, January 2006, § 102358 (page 2).

3. *Questions and Answers on Child Care in California: License-Exempt Child Care*. San Francisco: Child Care Law Center, 2004. Print.

4. California Health and Safety Code § 1596.792.

5. California Department of Education: Reimbursement Ceilings for Subsidized Child Care <http://www3.cde.ca.gov/rcscc/>.