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Code:  Section:

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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98]** ( *Division 9 added by Stats. 1965, Ch. 1784.* )

**PART 1.8. Child Care and Development Services Act [10207 - 10492.2]** ( *Part 1.8 added by Stats. 2021, Ch. 116, Sec. 260.* )

**CHAPTER 7. General Child Care and Development Programs [10240 - 10244]** ( *Chapter 7 added by Stats. 2021, Ch. 116, Sec. 260.* )

**10240.** The department, with funds appropriated for this purpose, shall administer general child care and development programs. General child care and development programs shall include:

- (a) Age and developmentally appropriate activities for children.
- (b) Supervision.
- (c) Parenting education and parent involvement.
- (d) Social services that include, but are not limited to, identification of child and family needs and referral to appropriate agencies.
- (e) Health services.
- (f) Nutrition.
- (g) Training and career ladder opportunities, documentation of which shall be provided to the department.

(*Added by Stats. 2021, Ch. 116, Sec. 260. (AB 131) Effective July 23, 2021.*)

**10241.** Programs operated pursuant to this part may be designed to meet child-related needs identified by parents or guardians which may include, but are not limited to, the following:

- (a) Care for schoolage children during nonschool hours.
- (b) Weekend care.
- (c) Night shift care.
- (d) Worksite care.
- (e) Temporary emergency child care.
- (f) Child care for ill children.

(*Added by Stats. 2021, Ch. 116, Sec. 260. (AB 131) Effective July 23, 2021.*)

**10242.** (a) (1) Any entity operating child care and development programs funded pursuant to this chapter that provide direct services to children at two or more sites, including through more than one contract or subcontract funded pursuant to this chapter, shall employ a program director.

(2) Programs providing direct services to children, for the purposes of this section, are general child care and development programs pursuant to Chapter 7 (commencing with Section 10240), migrant child care and development programs pursuant to Chapter 6 (commencing with Section 10235), child care and development services for children with special needs programs pursuant to Chapter 9 (commencing with Section 10260), and any of these programs operated through family child care homes.

(b) (1) For purposes of this section, the following definitions shall apply:

(A) "Administrative responsibility" means awareness of the financial and business circumstances of the program, and, in appropriate cases, supervision of administrative and support personnel and the knowledge and authority to direct or modify administrative practices and procedures to ensure compliance to administrative and financial standards imposed by law.

(B) "Program director" means a person who, regardless of their title, has programmatic and administrative responsibility for a child care and development program that provides direct services to children at two or more sites.

(C) "Programmatic responsibility" means overall supervision of curriculum and instructional staff, including instructional aides, and the knowledge and authority to direct or modify program practices and procedures to ensure compliance to applicable quality and health and safety standards imposed by law.

(2) Administrative and programmatic responsibility also includes the responsibility to act as the representative for the child development program to the department. With respect to programs operated through family child care homes, administrative and programmatic responsibility includes ensuring that quality services are provided in the family child care homes.

(c) The program director also may serve as the site supervisor at one of the sites, provided that the program director both fulfills the duties of a "child care center director," as set forth in Section 101215.1 of Title 22 of the California Code of Regulations, and meets the qualifications for a site supervisor as set forth in subdivision (aa) of Section 10213.5.

(d) The department may waive the qualifications for program director described in Sections 10380.5 and 10381.5 upon a finding of one of the following circumstances:

(1) The applicant is making satisfactory progress toward securing a permit issued by the Commission on Teacher Credentialing authorizing supervision of a child care and development program operating in two or more sites or fulfilling the qualifications for program directors in severely disabled programs, as specified in Section 10381.5.

(2) The place of employment is so remote from institutions offering the necessary coursework as to make continuing education impracticable and the contractor has made a diligent search but has been unable to hire a more qualified applicant.

(e) The department, upon good cause, may by rule identify and apply grounds in addition to those specified in subdivision (d) for granting a waiver of the qualifications for program director.

*(Added by Stats. 2021, Ch. 116, Sec. 260. (AB 131) Effective July 23, 2021.)*

**10243.** The department shall annually monitor funding used in general childcare and development programs for infants and toddlers and shall annually report to the Department of Finance and to the Legislature a statewide summary identifying the estimated funding used for infants and toddlers. The annual report shall include a comparison to the prior year on a county-by-county basis.

*(Amended by Stats. 2025, Ch. 13, Sec. 6. (SB 120) Effective June 27, 2025.)*

**10244.** (a) The department shall develop and implement a streamlined request for application process for current childcare and development program contractors to award new childcare and development program contracts.

(b) A current childcare and development contractor is ineligible for the streamlined request for application process when one or more of the following conditions apply during a request for application cycle:

(1) The contractor is on conditional status because of fiscal or programmatic noncompliance, as described in Section 18303 or 18304 of Title 5 of the California Code of Regulations.

(2) The contractor is on provisional status and is applying for additional funding. For purposes of this paragraph, a contractor is considered to be on provisional status if they were awarded a childcare and development contract in the prior year's childcare and development expansion application cycle, regardless of whether a contract has been executed. A contractor remains on provisional status until they receive a clear contract from the department.

(3) The department has conducted a compliance review pursuant to Section 18023 of Title 5 of the California Code of Regulations, and the contractor has failed to clear items of fiscal and programmatic noncompliance identified in the review within 12 months of the issuance of the compliance review report, as described in Section 18001 of Title 5 of the California Code of Regulations.

(4) The contractor has in place, or places, a person in a position of fiscal responsibility or control who has been convicted of a crime involving misuse or misappropriation of state or federal funds, or a state or federal crime involving moral turpitude, as described in Section 10399.

(5) The contractor was previously awarded expansion funding and has not yet begun to provide services with that funding.

(6) The department has evidence that the contractor has not been able to successfully fulfill current contract requirements by serving children in a quality program and in a fiscally responsible manner

(7) The contractor has a delinquent audit with the department, as described in Section 18073 of Title 5 of the California Code of Regulations.

(c) The department shall collaborate with the State Department of Education to ensure, when applicable, and not in conflict with statutory or regulatory provisions, that the streamlined request for application process for childcare and development programs is similar to the streamlined request for application process in the California state preschool programs.

(d) The department has authority to consider scoring criteria as necessary to award contracts.

*(Added by Stats. 2024, Ch. 73, Sec. 21. (SB 163) Effective July 2, 2024.)*