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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 2. Resource and Referral Programs [10217 - 10224.5] (Chapter 2 added by Stats. 2021, Ch. 116, Sec. 260.)

10217. Funds appropriated for the purpose of this chapter may be used for child care resource and referral programs which may be operated by public or private nonprofit entities.

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

10218. It is the intent of the Legislature that one hundred eighty thousand dollars (\$180,000) be appropriated each fiscal year for allocation to child care and development resource and referral agencies operated by local educational agencies for the purpose of the child care resources and referral program set forth in this chapter.

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

10219. (a) For purposes of this chapter, child care resource and referral programs, established to serve a defined geographic area, shall provide the following services:

(1) (A) Identification of the full range of existing child care services through information provided by all relevant public and private agencies in the areas of service, and the development of a resource file of those services which shall be maintained and updated at least quarterly. These services shall include, but not be limited to, family child care homes, public and private child care programs, full-time and part-time programs, and infant, preschool, and extended care programs.

(B) The resource file shall include, but not be limited to, the following information:

- (i) Type of program.
- (ii) Hours of service.
- (iii) Ages of children served.
- (iv) Fees and eligibility for services.
- (v) Significant program information.

(2) (A) (i) Establishment of a referral process which responds to parental need for information and which is provided with full recognition of the confidentiality rights of parents. Resource and referral programs shall make referrals to licensed child day care facilities. Referrals shall be made to unlicensed care facilities only if there is no requirement that the facility be licensed. The referral process shall afford parents maximum access to all referral information. This access shall include, but is not limited to, telephone referrals to be made available for at least 30 hours per week as part of a full week of operation. Every effort shall be made to reach all parents within the defined geographic area, including, but not limited to, any of the following:

- (I) Toll-free telephone lines.
- (II) Office space convenient to parents and providers.
- (III) Referrals in languages which are spoken in the community.

(ii) Each child care resource and referral program shall publicize its services through all available media sources, agencies, and other appropriate methods.

(B) (i) Provision of information to any person who requests a child care referral of their right to view the licensing information of a licensed child day care facility required to be maintained at the facility pursuant to Section 1596.859 of the Health and Safety Code and to access any public files pertaining to the facility that are maintained by the department's Community Care Licensing Division.

(ii) A written or oral advisement in substantially the following form will comply with the requirements of clause (i):

"State law requires licensed child day care facilities to make accessible to the public a copy of any licensing report pertaining to the facility that documents a facility visit or a substantiated complaint investigation. In addition, a more complete file regarding a child care licensee may be available at an office of the State Department of Social Services' Community Care Licensing Division. You have the right to access any public information in these files."

(3) (A) Maintenance of ongoing documentation of requests for service tabulated through the internal referral process. The following documentation of requests for service shall be maintained by all child care resource and referral programs:

(i) Number of calls and contacts to the child care information and referral program or component.

(ii) Ages of children served.

(iii) Time category of child care request for each child.

(iv) Special time category, such as nights, weekends, and swing shift.

(v) Reason that the child care is needed.

(B) This information shall be maintained in a manner that is easily accessible for dissemination purposes and shall be accessible to local child care and development planning councils authorized pursuant to Section 10486 and any county implementing an individualized county child care subsidy plan.

(4) Provision of technical assistance to existing and potential providers of all types of child care services. This assistance shall include, but not be limited to:

(A) Information on all aspects of initiating new child care services including, but not limited to, licensing, zoning, program and budget development, and assistance in finding this information from other sources.

(B) Information and resources that help existing child care services providers to maximize their ability to serve the children and parents of their community.

(C) Dissemination of information on current public issues affecting the local and state delivery of child care services.

(D) Facilitation of communication between existing child care and child-related services providers in the community served.

(5) (A) (i) Provision of a child care navigator to support children in foster care, children previously in foster care upon return to their home of origin, and children of parents involved in the child welfare system, including the children of nonminor dependents. The navigator shall work with the child's family, as described in paragraph (2) of subdivision (d) of Section 11461.6, and the child's social worker and child and family team to assess child care opportunities appropriate to the child's age and needs, assist the family in identifying potential opportunities for an ongoing child care subsidy, assist the caregiver in completing appropriate child care program applications, and develop an overall, long-term child care plan for the child.

(ii) As a condition of receiving funds pursuant to this subparagraph, each resource and referral program shall develop and enter into a memorandum of understanding, contract, or other formal agreement with the county child welfare agency in order to facilitate interagency communication and, to the maximum extent possible, to leverage federal funding, including administrative funding, available pursuant to Title IV-E of the federal Social Security Act, to enhance the navigation support authorized under this subparagraph, or the resource and referral program shall explain, in writing, annually, why entering into a memorandum of understanding, contract, or other formal agreement with the county child welfare agency is not practical or feasible. Navigator services provided pursuant to this subparagraph shall be made available to any child in foster care, any child previously in foster care who has returned to their home of origin, and any child of parents involved in the child welfare system, including any child who meets the eligibility criteria for the Emergency Child Care Bridge Program for Foster Children established pursuant to Section 11461.6. Eligibility for navigator services shall not be contingent on a child's receipt of a child care payment or voucher.

(B) (i) Provision of trauma-informed training and coaching to child care providers working with children, and children of parenting youth, in the foster care system. Training shall include, but not be limited to, infant and toddler development and research-based, trauma-informed best care practices. Child care providers shall be provided with coaching to assist them in applying training techniques and strategies for working with children, and children of parenting youth, in foster care.

(ii) As a condition of receiving funds pursuant to this subparagraph, each resource and referral program, in coordination with the California Child Care Resource and Referral Network, shall develop and enter into a memorandum of understanding, contract, or other formal agreement with the county child welfare agency in order to, to the maximum extent possible, leverage federal funding, including training funds, available pursuant to Title IV–E of the federal Social Security Act, to enhance the training support authorized under this subparagraph, or the resource and referral agency shall explain, in writing, annually, why entering into a memorandum of understanding, contract, or other formal agreement with the county child welfare agency is not practical or feasible.

(b) Services prescribed by this section shall be provided in order to maximize parental choice in the selection of child care to facilitate the maintenance and development of child care services and resources.

(c) (1) A program operating pursuant to this chapter shall, within two business days of receiving notice, remove a licensed child day care facility with a revocation or a temporary suspension order, or that is on probation from the program's referral list.

(2) A program operating pursuant to this chapter shall, within two business days of receiving notice, notify all entities, operating a program under Chapter 3 (commencing with Section 10225) and Chapter 21 (commencing with Section 10370) in the program's jurisdiction, of a licensed child day care facility with a revocation or a temporary suspension order, or that is on probation.

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

10220. (a) In addition to the services described in Section 10219, a child care resource and referral program, established to serve a defined geographic area, may provide short-term respite child care. "Short-term respite care," for purposes of this chapter, means temporary child care services to do any of the following:

(1) Provide services to families identified and referred by child protective agencies.

(2) Relieve the stress caused by child abuse, neglect, or exploitation, or the risk of abuse, neglect, or exploitation.

(3) Assist parents who, because of serious illness or injury, homelessness, or family crisis, including temporary absence from the home because of illness or injury, would be unable without assistance to provide the normal care and nurture expected of parents.

(4) Provide temporary relief to parents from the care of children with exceptional needs.

(b) Pursuant to the delivery of short-term respite child care services, priority shall be given for the provision of services to families identified and referred by child protective agencies, to relieve the stress caused by child abuse, neglect, or exploitation, or the risks thereof, as described in paragraphs (1) and (2) of subdivision (a). Priority shall be given to assist parents and to provide temporary relief to parents, as described in paragraphs (3) and (4) of subdivision (a) to the extent that resources are available.

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

10221. All child care resource and referral services shall be provided in a manner which is responsive to the diverse cultural, linguistic, and economic needs of a defined geographic area of service.

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

10222. Child care resources and referral shall be provided to all persons requesting services and to all types of child care providers, regardless of income level or other eligibility criteria. In addition to the services prescribed by this section, child care resource and referral may provide a wide variety of parent and provider support and educational services.

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

10223. (a) There is hereby established a project known as the California Child Care Initiative Project. It is the intent of the Legislature to promote and foster the project in cooperation with private corporations and local governments. The objective of the project is to increase the availability of quality childcare programs in the state.

(b) For purposes of this section, the California Child Care Initiative Project means a project to expand the role and functions of selected resource and referral agencies in activities including needs assessment, recruitment and screening of providers, technical assistance, and staff development and training, in order to aid communities in increasing their capability in the number of childcare spaces available and the quality of childcare services offered.

(c) The department shall allocate all state funds appropriated for the California Child Care Initiative Project for the purpose of making grants to those childcare resource and referral agencies that have been selected as pilot sites for the project.

(d) The grants to the sites made available by the project shall be composed of a combination of state funds or a combination of state funds and other funds.

(e) The department shall develop a database for the project.

(f) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this section by the act that added this subdivision by all-county letter or similar directive until regulations are adopted.

(2) The department shall adopt regulations implementing the changes made to this section by the act that added this subdivision no later than July 1, 2025.

(Amended by Stats. 2022, Ch. 62, Sec. 20. (AB 210) Effective June 30, 2022.)

10224. When making referrals, every agency operating both a direct service program and a resource and referral program shall provide at least four referrals, at least one of which shall be a provider over which the agency has no fiscal or operational control, as well as information to a family on the family's ability to choose a license exempt provider.

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

10224.5. (a) Federal funds allocated to local child care resource and referral agencies to support their continued participation in COVID-19 relief and recovery shall include, but not be limited to, strengthening their role in serving as intermediaries to develop new, and support existing, child care facilities and capacity, and to streamline and improve data collection processes in collaboration with the state for use by the agencies and by the state. Additional data reporting shall include gathering data from providers and updating information on child care provider status, capacity, and vacancy at least once a month. Data collected shall be provided to the department or its designee at least monthly. The department shall provide guidance regarding data collection and reporting requirements pursuant to this section.

(b) It is the intent of the Legislature to allocate funds for the purposes described in subdivision (a) annually, subject to an appropriation for this purpose.

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