California Code Of Regulations
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Title 22@ Social Security
    |->
Division 12@ Child Care Facility Licensing Regulations
    |->
Chapter 1@ Child Care Center General Licensing Requirements
    |->
Article 3@ Application Procedures
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Section 101186@ Conditions for Forfeiture of a Child Care Center License

CA

101186 Conditions for Forfeiture of a Child Care Center License

(a)

Conditions for forfeiture of a child care center license shall be as specified in Health and Safety Code Section 1596.858. (2) "Licensee abandons the facility [child care center]" shall mean either of the following: (A) The licensee informs the Department that the licensee no longer accepts responsibility for the child care center; or (B) The Department is unable to determine the licensee's whereabouts after the following: 1. The Department requests information about the licensee's whereabouts from the child care center staff, if any staff can be contacted; and 2. The Department has made at least one phone call per day to the licensee's last telephone number of record for five consecutive workdays with no response; and 3. The Department has sent a certified letter requesting the licensee to contact the Department to the licensee's last mailing address of record with no response within seven calendar days.

(2)

"Licensee abandons the facility [child care center]" shall mean either of the following:

(A) The licensee informs the Department that the licensee no longer accepts responsibility for the child care center; or (B) The Department is unable to determine the licensee's whereabouts after the following: 1. The Department requests information about the licensee's whereabouts from the child care center staff, if any

staff can   be contacted; and 2. The Department   has made at least one phone call per day to the licensee's last telephone   number of record for five consecutive workdays with no response; and 3. The Department has sent a certified letter   requesting the licensee to contact the Department to the licensee's last   mailing address of record with no response within seven calendar   days.

   (A)

   The licensee informs the Department that   the licensee no longer accepts responsibility for the child care center;   or

   (B)

   The Department is unable to   determine the licensee's whereabouts after the following: 1. The Department requests information about   the licensee's whereabouts from the child care center staff, if any staff can   be contacted; and 2. The Department   has made at least one phone call per day to the licensee's last telephone   number of record for five consecutive workdays with no response; and 3. The Department has sent a certified letter   requesting the licensee to contact the Department to the licensee's last   mailing address of record with no response within seven calendar   days.

     1.

     The Department requests information about   the licensee's whereabouts from the child care center staff, if any staff can   be contacted; and

     2.

     The Department   has made at least one phone call per day to the licensee's last telephone   number of record for five consecutive workdays with no response; and

     3.

     The Department has sent a certified letter   requesting the licensee to contact the Department to the licensee's last   mailing address of record with no response within seven calendar   days.

(b)

If the licensee dies, an adult relative who has control of the property may operate a previously licensed child care center under an Emergency Approval to Operate (EAO) (LIC 9117 [4/93]) provided the following conditions are met: (1) The relative, or an adult acting on the relative's behalf, notifies the Department by telephone during the first working day after the licensee's death that the relative intends to operate the child care center. (2) The relative files with the Department within five calendar days of the licensee's death an Application for a Child Day Care Center License (LIC 200A [3/23]) and evidence of the licensee's death as specified in Section 101152 e.(4). (A) Notwithstanding the instructions on the LIC 200A (3/23), the Department shall permit the relative to submit only the information on the front side of the LIC 200A (3/23). (3) The relative files his/her fingerprint cards with the Department of Justice within five calendar days of the licensee's death.

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   The relative, or an adult acting on the relative's behalf, notifies the Department by
   telephone during the first working day after the licensee's death that the relative
   intends to operate the child care center.

   (2)

   The relative files with the Department within five calendar days of the licensee's death
   an Application for a Child Day Care Center License (LIC 200A [3/23]) and evidence of
   the licensee's death as specified in Section 101152 e.(4). (A) Notwithstanding the
   instructions on the LIC 200A (3/23), the Department shall permit the relative to submit
   only the information on the front side of the LIC 200A (3/23).

      (A)

      Notwithstanding the instructions on the LIC 200A (3/23), the Department shall permit the
      relative to submit only the information on the front side of the LIC 200A (3/23).

(3)

The relative files his/her fingerprint   cards with the Department of Justice within five
calendar days of the   licensee's death.

(c)

If   the adult relative complies with (b)(1) and (b)(2) above, he/she shall not be
considered to be operating an unlicensed child care center pending the
Department's decision on whether to approve a provisional license.

(d)

The Department shall make a decision   within 60 days after the application is
submitted on whether to issue a   provisional license pursuant to Section   101181.

 (1) A provisional license shall be granted   only if the Department is satisfied that
the conditions specified in (b) above   and Section   101181 have been met and
that the   health and safety of the children attending the child care center will not
be   jeopardized.

(1)

A provisional license shall be granted   only if the Department is satisfied that the
conditions specified in (b) above   and Section   101181 have been met and that the
health and safety of the children attending the child care center will not be   jeopardized.