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Title 22@ Social Security

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Division 12@ Child Care Facility Licensing Regulations

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Chapter 1@ Child Care Center General Licensing Requirements

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Article 5@ Administrative Actions

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Section 101205@ Denial of License

101205 Denial of License

(a)

Except as specified in Section 101181, which provides for issuance of a provisional license based upon substantial compliance, the Department shall deny an application for a license if the applicant is not in compliance with applicable laws and regulations. The Department shall issue the denial in accordance with Health and Safety Code Section 1597.11, (1) The Department shall deny an application if the applicant fails to pay any civil penalty assessments, unless payment arrangements acceptable to the Department have been made. (2) The Department may deny an application for licensure or revoke a license if the applicant/licensee, staff and/or volunteers violate Health and Safety Code Section 1596.885. (3) The Department shall deny an application for licensure for grounds specified in Health and Safety Code Section 1596.952(b). (4) An application shall not be denied solely because the applicant is a parent who has administered or will continue to administer corporal punishment not constituting child abuse, as defined in Penal Code Section 11165(g) or Health and Safety Code Section 1531.5(c), on his/her own child(ren).

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(3)

The Department shall deny an application for licensure for grounds specified in Health and Safety Code Section 1596.952(b).

(4)

An application shall not be denied solely because the applicant is a parent who has administered or will continue to administer corporal punishment not constituting child abuse, as defined in Penal Code Section 11165(g) or Health and Safety Code Section 1531.5(c), on his/her own child(ren).

(b)

If an application is denied, the Department shall inform the applicant of the denial in writing. (1) The notice shall include the reasons for the denial. The notice shall also advise the applicant of the right to appeal as provided for by Health and Safety Code Section 1596.879.

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(c)

If the application for a license is denied, the application processing fee shall be forfeited.

(d)

Notwithstanding any appeal action, the child care center is unlicensed and shall

not operate pending adoption by the Director of a decision on the denial action.