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Title 22@ Social Security

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Division 12@ Child Care Facility Licensing Regulations

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Chapter 3@ Family Day Care Homes for Children

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Article 2@ Licensing

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Section 102358@ License Exemptions

## **102358 License Exemptions**

### **(a)**

Licensure is required before family child care is provided except in the following situations relative to family child care homes as specified in Health and Safety Code Section 1596.792: (1) Any family day care home providing care for the children of only one family in addition to the operator's own children. (2) Any cooperative arrangement between parents for the care of their children where no payment is involved and the arrangement meets all of the following conditions: (A) In a cooperative arrangement, parents shall combine their efforts so that each parent, or set of parents, rotates as the responsible care giver with respect to all the children in the cooperative. (B) Any person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative. (C) There can be no payment of money or receipt of in-kind income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for napping, pillows and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for outside activities, the amount of which may not exceed the actual cost of the activity. (D) No more than 12 children are receiving care in the same place at the same time. (3) Any arrangement for the receiving and care of children by a relative.

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In a cooperative arrangement, parents shall combine their efforts so that each parent, or set of parents, rotates as the responsible care giver with respect to all the children in the cooperative.

**(B)**

Any person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.

**(C)**

There can be no payment of money or receipt of in-kind income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for

napping, pillows and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for outside activities, the amount of which may not exceed the actual cost of the activity.

**(D)**

No more than 12 children are receiving care in the same place at the same time.

**(3)**

Any arrangement for the receiving and care of children by a relative.