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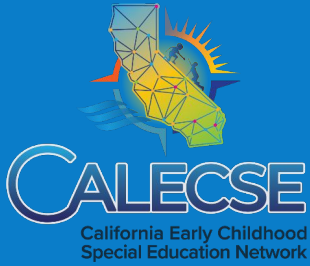
California Early Childhood
Special Education Network



Funded by the California Department of Education (CDE),
Special Education Division

**Planning and Collaborating Toward Inclusion Between Schools and
Community-Based State Preschool Programs**

April 13, 2026



CALECSE



California Early Childhood Special Education Network

Funded by the CDE

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CaIECSE

California Early Childhood Special Education Network
Funded by the CDE



<https://www.calecse.org>

CaIECSE is a technical assistance project funded under the California Department of Education (CDE) that supports Local Educational Agencies (LEAs), Special Education Local Plan Area (SELPA)s, County Offices of Special Education (COEs), and other Agency Partners in the areas of Individuals with Disabilities Education Act (IDEA) Part C to B Transitions, Preschool Assessment Practices, and Preschool Child Find by providing technical assistance, professional learning, and demonstration of tangible practices *that have been proven successful*.

The CaIECSE Network leverages collaboration amongst agencies, disseminates resources, highlights existing exemplar practices, and provides direct technical assistance to improve the capacity, knowledge, collaboration, and implementation of evidence-based practices across agencies throughout California.

The CaIECSE Network is committed to improving outcomes for children and their families by eliminating and addressing barriers to successful transition for California's youngest children with disabilities.

Today's Presenters

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What We Will Be Covering Today



- Understand the eligibility and enrollment for California State Preschool Programs (CSPP) for Local Education Agencies (LEAs) and CSPPs to effectively collaborate.
- Review Rightful Presence and Least Restrictive Environment (LRE) definitions and share resources for inclusive preschool practices to support collaborative planning between LEAs and CSPPs
- Review and detail most frequently cited CSPP licensing barriers to inclusive placements and identify possible solutions

Working with CSPP Eligibility and Enrollment Requirements to Create Inclusive Preschool Placements

CSPP Program Overview

- State-funded preschool for two, three, and four-year-olds
 - Two-year-old children must have had their second birthday and do not meet definition of three-year-old children (the eligibility age category for two-year-olds is applicable only between July 2, 2025 and June 30, 2027)
 - Child must be three or four years old by December 1 of the enrollment year
 - Enrollment ends when child ages out or enters Kindergarten unless the child is enrolled in Transitional Kindergarten (TK) and CSPP is accessed in addition to TK to extend the child's hours of early learning and care
 - Offers part-day (3–3.5 hours) and full-day (up to 11 hours) options
- Aligned with California Preschool and Transitional Kindergarten Learning Foundations (PTKLFs)



Income and Needs Based Eligibility



State Fiscal Year 2026–27 Schedule of Income Ceilings

Family Size	Family Yearly Income Ceiling (100% of SMI)	Family Monthly Income Ceiling (100% of SMI)	Maximum Monthly Income for 15% above Income Eligibility Threshold
1-2	\$100,510	\$8,376	\$9,632
3	\$113,708	\$9,476	\$10,897
4	\$136,044	\$11,337	\$13,038
5	\$157,811	\$13,151	\$15,124
6	\$179,578	\$14,965	\$17,210
7	\$183,659	\$15,305	\$17,601
8	\$187,741	\$15,645	\$17,992
9	\$191,822	\$15,985	\$18,383
10	\$195,903	\$16,665	\$18,774
11	\$199,985	\$16,325	\$19,165
12+	\$204,066	\$17,006	\$19,556

- For part-day: family income \leq 100 percent of State Median Income (SMI)
- For full-day: requires both income eligibility and demonstrated need (e.g., employment, homelessness, CalWORKs, vocational training)

Priority Enrollment



1. Children in Child Protective Services (CPS) or at risk of abuse/neglect
2. If there are interested enrollees who have exceptional needs, beyond those already enrolled in the percent of enrollment set aside (Education Code Section 8208), second priority shall be given to children with exceptional needs from families with incomes below the income threshold (Education Code Section 8213)
3. Children who are not enrolled in a state funded TK program
4. Children from families whose income is no more than 15 percent above the eligibility threshold (capped at 10 percent of slots)
5. After all otherwise eligible children have been enrolled, a CSPP site operating within the attendance area of a qualified free and reduced priced meals school (Education Code Section 8217) may enroll children who reside within the attendance area of the qualified school, enrolling oldest children first.
 - a. Part-Day only: Children enrolling in the CSPP to provide expanded learning and care to TK or Kindergarten
 - b. Full Day only: No need to establish eligibility or need pursuant to Education Code Section 8208(d)(1) or (3)

Required Documents

- Proof of child's age (birth certificate, immunization record)
- Family income: pay stubs, tax forms
- Documentation of need: CPS referral, employment or homelessness verification, Individualized Family Service Plan (IFSP)/Individualized Education Program (IEP)
- Health records: Tuberculosis clearance for adults, physician's report for child
- Copies of IFSP or IEP to certify exceptional needs

Timeline

- Application window opens ~120 days before program year starts
- Certification valid for part-day through current and next program year; full-day valid for 24 months or until no longer age-eligible
- Families must recertify every 24 months or with change

Children with Exceptional Needs



- Includes children with active IFSPs (under age three) or IEPs (age three through age 21)
- CSPP has a statutory requirement to set aside five percent of their enrollment for children with exceptional needs
- CSPP must have copies of IFSPs and IEPs in children's files for children enrolled under this provision
- In November 2025, the CDE released Management Bulletin (MB) 25-10: Support to CSPP Contractors on the Set Aside and Serving Children with Disabilities
- Education Code Sections 8208(c)(1) and (d)(2)(A) direct the CDE to establish a waiver process for CSPP contractors
 - Allows for justification or circumstances that may warrant an exception

Children with Exceptional Needs in CSPP



- CSPP Contractors are required to demonstrate effort of compliance with the Set Aside
 - Effort to recruit and enroll children with disabilities
 - Outreach and collaboration with special education partners
 - Barriers encountered that have prevented enrolling children with disabilities
- CSPP Contractors complete the Children with Disabilities Annual Survey by providing information on how the contractor was able to meet the set aside requirement. If the set aside wasn't met, the contractor will provide information on why the contractor was unable to meet the set aside requirement and what community outreach was conducted with special education partners. (CDE Child Development Management Bulletin 20-10 <https://www.cde.ca.gov/sp/cd/ci/mb2510.asp>)
- If CSPP contractors report children with IEPs were offered placement in a district TK and therefore disenrolled from CSPP, the CDE is requesting evidence such as copies of IEPs, emails with LEA confirmation of this determination, or Notice of Action indicating reason for disenrollment
- CSPP contractors will also need to report to the CDE if they were unable to secure copies of IFSPs or IEPs, to document enrollment

Rightful Presence and LRE

Rightful Presence



CDE Letter (Dec. 4, 2024)

“Rightful presence refers to the intentional effort to ensure children with disabilities are fully included, valued, and supported in the educational settings they would attend if they did not have a disability. It emphasizes belonging, equitable access to resources, and active participation in learning and social opportunities alongside peers without disabilities.”

Source: CDE, 2024. <https://www.cde.ca.gov/sp/se/lr/om120424.asp>

Core Principles

- **First Consideration:** Inclusive programs must be considered first for placement decisions
- **Belonging:** Children are valued members of their learning community
- **Access:** Equitable access to high-quality early education programs and resources
- **Participation:** Active engagement in learning and social opportunities alongside peers

Least Restrictive Environment (LRE)



Code of Federal Regulations § 300.114 LRE requirements.

(a) *General.*

(1) Except as provided in § 300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§ 300.115 through 300.120.

(2) Each public agency must ensure that—

(i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and

(ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Source: National Records and Archives Administration, 2026.

<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-III/part-300/subpart-B/subject-group-ECFRce691c806652b84/section-300.114>

LRE requirements, CSPP Set Aside for children with exceptional needs, and licensing requirements for licensed CSPP settings, align.

- Licensed CSPP classroom teachers must visually supervise children at all times. This means when special education staff is on a community-based CSPP site to provide services, they must do so in the presence of the classroom teacher, as listed on the site license.
- If the LRE determination for a child is provision of services in the general education preschool setting (CSPP), this represents a perfect alignment.
- If the LRE determination is the provision of services at the community-based CSPP site, but not in the classroom where general education is occurring alongside their peers then licensing also provides options for collaboration. In this case, CSPP may be able to “count” that child’s enrollment within the Set Aside. Special Education Indicator 6 data; however, will not show this as a general education placement/provision of services since they are being “pulled out” to receive their special education services.

Preschool Inclusive Practices Resources

CDE Preschool Inclusion Toolkit



The CDE recently released the Supporting Inclusive Preschool Practices for All Children Toolkit, which can be accessed at:

<https://drive.google.com/drive/folders/1wllc0Foj6BWb5itSf51dOOC-Nr0eigr>



Characteristics of Classrooms that Utilize Universal Design for Learning Checklist

Classrooms that use Universal Design for Learning (UDL) are child-centered, flexible, and inclusive. UDL classrooms emphasize adapting educational practices to meet the diverse needs of all learners. They focus on creating flexible learning environments that accommodate various learning styles, abilities, and backgrounds, and expression, and engagement.¹⁶ These principles show up in early education and elementary school classrooms in multiple ways and can be fulfilled through the following strategies within this UDL Checklist.

Universal Design for Learning (UDL) Checklist		
Representation: Addressing children's diverse learning styles is foundational to creating inclusive learning environments. UDL suggests that representation requires:		
Flexibility: Inclusive classrooms feature flexible work areas to support different activities, including quiet individual work, small group collaboration, and whole-group instruction, and multi-modal lessons that feature a mix of text, audio, video, graphics and hands-on activities.	Does the classroom support flexibility and multi-modal lessons and activities?	Yes No
Accessibility: All learning materials are accessible. Arrange furniture to allow ample room for children and adults to move freely, use shelves with varying heights and low-sided baskets to make learning materials and toys accessible to children of all sizes. Choose flooring that is easy to navigate and be aware of potential triggers related to different textures.	Are the learning materials accessible within the classroom?	Yes No
Action and Expression: Children are offered varied ways to interact with the material and demonstrate their knowledge. UDL suggests specific strategies for supporting children's action and expression:		
Scaffolding: Teachers provide graduated levels of support to help children develop their strategic thinking and executive functioning skills.	Are there graduated levels of support for children?	Yes No

¹⁶ Britante, Pamela, and Karen Nemeth. *Universal design for learning in the early childhood classroom: Teaching children of all languages, cultures, and abilities, birth-8 years*. Routledge, 2022.



Documenting Developmental and Behavioral Concerns A Checklist for Preschool Teachers

This checklist is intended to support preschool educators in thoughtfully documenting developmental or behavioral concerns and support conversations with children's families. It emphasizes data collection, family collaboration, and the use of developmental resources to ensure decisions are well-informed and child-centered.

Collect Observational Data

Begin by documenting anecdotal notes during daily routines. Focus on specific behaviors and include:

- Time of day and location the behavior occurs
- What happened prior to the behavior
- Child's response and resolution strategies to identify patterns and provide context for the concern. Use consistent observation over time to build a meaningful data set.

Review Screening Tools and Assessment Data

Gather and review existing developmental data, as relevant, including:

- DRDP (Desired Results Developmental Profile)
- ASQ (Ages and Stages Questionnaire)
- Any other relevant assessments or progress monitoring tools to help validate concerns and ensure that decisions are based on both qualitative and quantitative information.

Plan for a Family Meeting

Prepare for a collaborative conversation with the child's family, framed as a partnership, with the goal of understanding the child's development across settings by:

- Organizing documentation (observations, screening results, work samples)
- Identifying specific areas of concern
- Preparing to share classroom strategies already implemented.

Meet with the Family

Hold a meeting to:

- Share collected data and observations
- Invite the family to share their own insights and concerns
- Use a Family Meeting Tool to document the discussion and add to the data set.

This step ensures that if a referral to special education is warranted, the referral decision is informed by both educator and family perspectives. It also helps identify whether concerns are consistent across environments.

Determine Next Steps

Additional Resources

CDE's website has a variety of Early Education Inclusive resources available:

<https://www.cde.ca.gov/sp/cd/op/ieeresources.asp>

The Early Childhood Technical Assistance Center (ECTA) website has information about indicators and elements of high-quality inclusive placements:

<https://ectacenter.org/topics/inclusion/indicators-ece.asp>

Inclusion Works! Creating Child Care Programs That Promote Belonging for Children with Disabilities (2nd ed.) (CDE, 2021): A resource for providers as they work to provide high-quality care and education to all California's children, including those with disabilities can be found

here: <https://www.cde.ca.gov/sp/cd/re/documents/inclusionworks2ed.pdf>

Licensing

Frequently Cited Barriers to Inclusion in
Community-Based CSPP Settings and Strategies
for Overcoming Them

Most Frequently Cited Licensing Related Inclusion Challenges

- Licensing required student paperwork on file
- Staff vaccination requirement
- Child supervision by staff not on site license
- Space size in/outdoor (including shared spaces)
- Adult-to-child ratios
- Incidental Medical Service (IMS) plans
- Fire inspections and emergency procedures



Licensed providers fear receiving licensing citations that would jeopardize their preschool's operation and overall business.

Licensing–Required Student Paperwork on File

In addition to basic child and family information required for CSPP enrollment, Community Care Licensing (CCL) requires the following:

- Immunization Record
- Physician’s Form/Medical Assessment:
 - “Prior to within 30 days following enrollment of a child...”

Available exemption for children dually enrolled at a Local Education Agency (LEA) and a licensed facility: “The licensee is not required to document medical assessments on children who are also enrolled in a public or private elementary school.”



Source: California Department of Social Services Manual of Policies and Procedures Community Care Licensing Division, Child Care Center, Division 12, Chapter 1, Article 6 Sections 101220, 101220.1, and 101221.

<https://www.cdss.ca.gov/inforesources/letters-regulations/legislation-and-regulations/community-care-licensing-regulations/child-care>

Possible Workable Solutions to Paperwork–Related Barriers

- Implement the allowable exception for a child’s assessment by a physician.
- Include use of the exception on the CSPP licensed facility’s Plan of Operations.
- LEA and CSPP request signed parent release allowing them to share specific and relevant medical information to ensure the child’s safety across all educational environments.
- Even if a child with an IEP physically attends a CSPP program and all special education services are provided there, they are a student in the LEA because the LEA is responsible for the IEP.



Staff Vaccination Requirements



In addition to proof of Tuberculosis clearance for staff, effective September 2016, Senate Bill 792 specifies immunization requirements for employees and volunteers at childcare centers and family childcare homes.

Section 159.7995 was added to California Health and Safety Code requiring:

- Immunization against Influenza, Pertussis and Measles
- Each employee and volunteer shall receive an influenza vaccination between August 1 and December 1 of each year.
 - Exemptions are allowed for vaccines with very specific physician documentation
 - Flexibility for personnel on how to document the required annual influenza vaccine
 - Acceptable documentation employee or volunteer declined the influenza vaccine (only)
- Documentation of employee and volunteer immunization must be maintained in the personnel records maintained by the licensed center
- “Volunteer” was defined as any non-employee who provides care and supervision to children in care.

Sources: California Department of Public Health

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/School/childcare-staff.aspx> Senate Bill 792, 2015

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20152016SB792

Possible Workable Solutions to Challenges Related to Staff Vaccination Requirements



LEA staff providing services in a CSPP setting are considered “volunteers.”

- The LEA needs to determine how to modify employee qualifications and requirements for special education staff (who provide services within a licensed CSPP classroom) to maintain the required vaccination requirements
 - Involve Human Resources and the teachers’ union in joint problem-solving
 - Discussions should include employment modifications/requirements for special education staff providing services at licensed sites
 - Determine how immunization information can be shared with the licensed CSPP site while maintaining employee confidentiality
- The CSPP licensed site adds the LEA staff to their volunteer list
 - LEA employees independently provide their immunization documentation to the CSPP site
 - The CSPP site maintains the record(s)



Child Supervision by Staff Not on the Site License



Supervision by the teacher on the site license staff record:

The teacher listed on the site license is responsible for care and supervision of children
No children are to be left without the supervision of a teacher at any time.

This means that staff who are NOT teachers on the site license may only work directly with children while the teacher of record on the site license can visually observe.

Department of Justice (DOJ) Clearance is required as aligned to the specific site license (number) and added to that site's records by CCL:

“...individuals are not eligible to work... or be present in a licensed facility... until they receive an official clearance or exemption notice from the California Department of Social Services (CDSS)....The individual/licensee must wait to receive an official CDSS clearance or exemption letter approving their eligibility before working...or being present in the licensed facility...”

Sources:

Department of Social Services Public Information Notification (PIN) 25-12-CCLD.

<https://www.cdss.ca.gov/Portals/9/CCLD/PINs/2025/CCLD/PIN%2025-12-CCLD%20-%20BACKGROUND%20CHECK%20APPROVAL%20AND%20ELIGIBILITY%20-%20Accessible.pdf>

Manual of Policies and Procedures Community Care Licensing Division, Child Care Center, Division 12, Chapter 1, Section 101229

<https://www.cdss.ca.gov/inforesources/letters-regulations/legislation-and-regulations/community-care-licensing-regulations/child-care>

Transcribed webinar recorded 2016, California Department of Social Services.

<https://cclcd.childcarevideos.org/child-care-center-operators/background-check-requirements-for-caregivers/transcript/#:~:text=Yes%2C%20background%20checks%20are%20required%20for%20people,criminal%20violation%20from%20having%20access%20to%20children>

Possible Workable Solutions for Staff not on the Site License to Work with Children



- Plan for LEA staff to provide services within the classroom/playground activity areas under the teacher's visual supervision
- Inform LEA staff of the licensee's requirement for visual supervision
- Collaborate and plan ahead for service provision day/time schedule at the CSPP site



Indoor and Outdoor Space Size



Group size and capacity limitations are set when the site license is obtained or updated:

- A licensed site must operate under its licensed capacity
- Each licensed site shall have and keep on file a current written, definitive plan of operation

Outdoor activity space is determined on the site license:

- 75 square feet per child based on the total licensed capacity
- Must include shade, safe accessibility for children and be free of hazards
- This section also specifies playground cushioning and playground enclosures

Indoor activity space:

- 35 square feet per child based on the total licensed capacity
- Does not count bathroom, kitchen, storage, built-in cabinets or shelves
- Drinking water must be freely available to children at all times both indoors and outdoors

Possible Workable Solutions to Challenges Specific to Indoor and Outdoor Spaces

- Children enrolled at a CSPP licensed site are counted in the class/group size therefore group size and space capacity are not issues in LEA provision of services in a CSPP licensed facility.
- Review the Plan of Operations and revise it collaboratively (LEA and licensed community-based CSPP program), to include the enrollment of children who have IEPs and how the safety and health needs of all children are to be met, prior to the licensed CSPP submitting the revised Plan of Operations to their local CCL office.
- Plan to include LEA special education service provision by LEA staff on the playground during natural interactions and learning opportunities
- Review/revise playground supervision responsibilities to address all children's needs



Additional Information Specific to Inclusive Use of Licensed Outdoor Spaces



Legislation requiring changes to Health and Safety Code



In 2022, **Assembly Bill (AB) 2827** was passed requiring the California Department of Social Services (CDSS) to revise regulatory requirements creating this barrier. It required CDSS to revise its regulations to meet the following requirements on or before January 1, 2024:

- Permit children with IFSPs/IEPs in separate programs or classrooms to share outdoor play spaces simultaneously with nondisabled children, without first obtaining a CCL waiver.
- Specify any health and safety requirements that shall be met when simultaneous use of outdoor play spaces as described occurs.

Additional Information Specific to Inclusive Use of Licensed Outdoor Spaces (Continued)



Implementation Status

- CDSS currently working on establishing specific health and safety requirements, with stakeholder input, to be required when simultaneous play occurs. In January 2026 CDSS and CCL hosted a feedback session series to gather input on the Interim Licensing Standards (ILS) for AB 2827.
- Input requested aligned with the requirement to update health and safety standards to reflect inclusive use of a playground space by a licensed program and an LEA special education program (classroom/group).

Licensing requires a ratio of teachers and other adults visually observing and supervising children, specific to setting type and children's ages. CSPP and other Title 5 center-based programs must maintain at least the following minimum ratios in all centers, based on actual attendance:



- **Toddlers** (18 to 36 months old)
1:4 adult-to-child ratio, 1:16 teacher-to-child ratio
- **Preschool** (36 months to enrollment in kindergarten)
1:8 adult-to-child ratio, 1:24 teacher-to-child ratio

Adult-to-Child Ratios (Continued)

Some CSPP programs include two-year-olds and may also serve toddlers at their licensed facility. Section 18291 of Title 5 of the California Code of Regulations provides strict guidance on commingled groups (groups that include children from different age categories):



- Whenever groups of children of two age categories are commingled and the younger age group exceeds 50 percent of the total number of children present, the ratios for the entire group must meet the ratios required for the younger age group.
- If the younger age group does not exceed 50 percent of the total number of the children present, the teacher-to-child and adult-to-child ratios shall be computed separately for each group.

Possible Workable Solutions to Addressing Challenges Specific to Adult-to-Child Ratios



- Recognize that only staff attached to the site license may be counted toward the teacher/adult-to-child ratios in CSPP
- Remember that even if square footage allows for more children, the licensed CSPP program must not exceed its licensed capacity even if/when the LEA offers to provide additional special education staff
- Review/revise the Plan of Operations collaboratively (LEA and CSPP) to describe how the licensed CSPP provides for the health and safety of all children, specifically:
 - Children with health needs
 - Children with challenging behaviors
 - Children who have IEPs and may require additional supervision and supports
 - Adult-to-child ratios in emergency plans
 - How the LEA staff collaborates in supporting the plan's implementation



Plan of Operations



The Plan of Operations must include, among other requirements, the following elements which may need to be reviewed and revised when implementing an inclusive program in collaboration with an LEA:

- Statement of purposes and program methods and goals
- Statement of admission policies and procedures
- Administrative organization, if applicable
- Staffing plan, qualifications and duties, if applicable
- A sketch of the building(s) to be occupied, including a floor plan that describes the capacities of the buildings and the uses intended, the room dimensions, and the rooms to be used for nonambulatory children
- Consultant and community resources to be utilized by the childcare center as part of its program. (Include the collaboration with the LEA and reference existing MOUs, if applicable)
- Incidental Medical Services (IMS) plan

Any proposed changes in the plan of operation, that affect services to children, shall be subject to departmental approval prior to implementation.

The childcare center shall operate in accordance with the terms specified in the plan of operation.

Source: Manual of Policies and Procedures Community Care Licensing Division, Child Care Center, Division 12, Chapter 1 Sections 101212 & 101173; Authority cited: Sections 1596.72, 1596.73, 1596.81, 1596.95 and 1597.05, Health and Safety Code

<https://www.cdss.ca.gov/inforesources/letters-regulations/legislation-and-regulations/community-care-licensing-regulations/child-care>

Possible Workable Solutions to Address Inclusion in the Site Plan of Operations

- Senate Bill 722, passed in 2023, required the CDSS and CCL to develop a template for the Plan of Operations by January 1, 2025
 - Implementation Update
 - The template is currently in development
 - The template will be released in conjunction with an updated Public Information Notification (PIN) from CDSS and CCL
- Jointly review and draft sections of the Plan of Operations when the template becomes available and calendar periodic or annual joint reviews (LEA and community-based CSPP)



Incidental Medical Services (IMS) Plans



All licensed centers must have a plan to address children's medical and other services needs called the Incidental Medical Services (IMS) plan.

- Your IMS plan describes the kinds of services you are prepared to give and the steps you will take to do it safely
- Your IMS Plan is part of your **Plan of Operation**
- The IMS Plan needs to be written, kept up-to-date, and submitted to your CCL Regional Licensing Office
- The IMS Plan must be approved by your Regional Licensing Office prior to implementation
- California Community Care Licensing Division released Provider Information Notice (PIN 22-02-CCP) issued February 2022, describes what needs to be in place for Incidental Medical Services to be provided

Additional information, sample forms and link to PIN 22-02-CCL are made available online by The California Child Healthcare Program at the University of California San Francisco(UCSF) at

<https://cchp.ucsf.edu/resources/health-safety-notes/incidental-medical-services-ims-child-care-programs#:~:text=The%20forms%20you%20will%20use%2C%20for%20example:.An%20individual%20special%20health%20care%20plan%20template.>

Incidental Medical Services (IMS) Plans (Continued)



Postural Supports/Protective Devices

- Postural supports may be used with prior approval from your Regional Office and are limited to those used to support a child in a chair or wheelchair to prevent falling
- Requests to use postural supports must be submitted in writing and include physician's statement of
- Postural supports must allow quick release
- Requests for postural supports are subject to fire clearance prior to CCL approval
- CCL has the authority to grant conditional or limited approvals to use postural supports
- California Health and Safety Code does not specify if requests to use postural supports may/may not be included in an IMS/Plan of Operations
- Any supports written into an IEP need to be in place before a child begins placement in a setting

Possible Workable Solutions–IMS



- California Senate Bill (SB) 722, passed in 2023, resolving statutory challenges in regulation:
 - Purpose: To help children with exceptional needs access childcare faster by simplifying the process for providers to manage necessary medical care.
 - Key Provisions:
 - CDSS must create standard IMS Plan templates by January 1, 2025
 - Facilities can enroll children using a completed template plan *before* departmental approval
 - Provides immunity for providers administering medication as outlined in the plan
 - Implementation Status:
 - The template and updated guidance indication pre-approval is no longer required, are still in development
- Subscribe to receive Public Information Notifications (PINs) from CDSS CCL at <https://www.cdss.ca.gov/inforesources/community-care-licensing/subscribe>



Fire Clearance

All childcare centers shall secure and maintain a fire clearance approved by the city or county fire department, the district providing fire protection services, or the State Fire Marshal.

The applicant shall notify the Department if the childcare center plans to enroll **children who are nonambulatory**, so that an appropriate fire clearance, can be obtained prior to their enrollment.



Fire Inspections and Emergency Procedures (Continued)

Disaster and Mass Casualty Plan

Each licensee shall have a disaster and mass casualty plan of action. The plan shall be in writing and shall be readily available.



The plan shall be subject to review by the Department and shall include:

- Designation of administrative authority and staff assignments
- Contingency plans for action during fires, floods and earthquakes
- Any special methods and procedures necessary for the evacuation and relocation of nonambulatory children.

Prior to a licensed site's enrollment of a child who is nonambulatory, the site must update its Plan of Operation to include the IMS plan and request for use of restraints (on wheelchair) and request Fire Clearance that includes the intent to enroll nonambulatory children.

Possible Workable Solutions to Meeting Fire Inspection and Emergency Procedure Requirements



- LEA and CSPP collaboratively identify:
 - General language to include the Plan of Operation that opens the possibility of enrolling nonambulatory children in the CSPP program
 - Supports necessary to abide by requirements for evacuation and emergency procedures required for nonambulatory children
 - Collaborate in resolving items cited by the fire marshall's pre-inspection and/or CDSS-CCL pre-licensing visit
- LEA and CSPP identify when materials need to be purchased to meet the required emergency evacuation requirements and also jointly identify potential fiscal resources



Possible Workable Solutions to Meeting Fire Inspection and Emergency Procedure Requirements (Continued)



Assembly Bill 176, passed in 2023, required the Office of the State Fire Marshal, in consultation with the State Department of Social Services, to promulgate regulations pertaining to occupancy standards for daycare centers no later than January 1, 2027.



The code change proposals will address the occupancy classification provisions for daycare centers and will be applicable at time of licensing application and revisions.

Pre-inspection will include consultation, interpretation of fire safety regulations and specific requirements that are in need of being met for Fire Clearance.

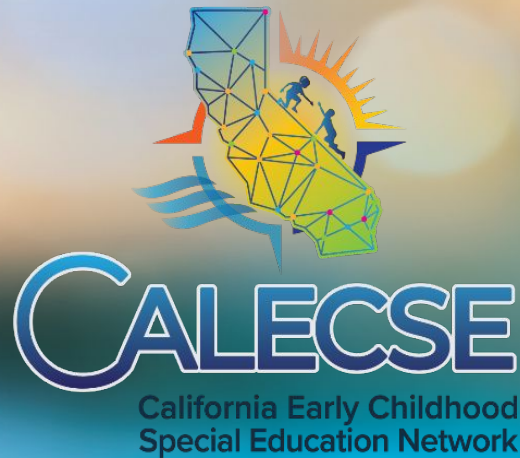
Source for this information can be accessed at California Department of Social Services website:

<https://www.cdss.ca.gov/inforesources/cdss-programs/community-care-licensing/child-care-licensing/workgroups>

Questions?



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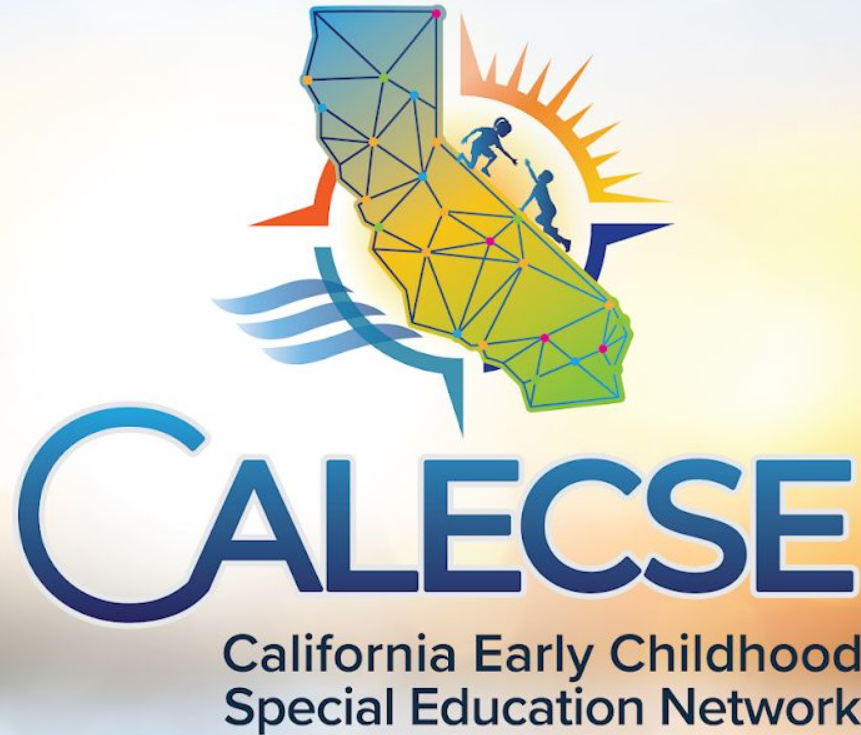
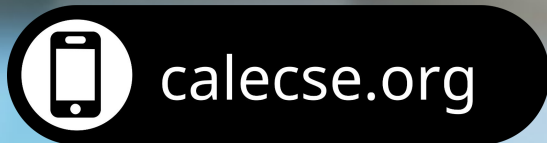
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