



Licensed Family Child Care Providers: Know Your Rights

Important: Declining entry to an unknown individual does not limit transparency or accountability. Oversight and investigations are conducted through Community Care Licensing and other authorized agencies using formal legal processes.

Family child care providers in California deliver licensed care in **private homes** and operate within a well-defined legal and regulatory framework. From time to time, individuals who are not parents, licensing staff, or authorized officials may request access to a provider's home.

This document explains **what California law requires, what it does not require, and how oversight and transparency are maintained**—so providers can respond confidently, lawfully, and in a way that protects children, families, and their own compliance.

1. Family Child Care Homes Are Private Residences

Under California law, a licensed family child care home is a **private residence** that has been licensed to provide child care—not a public facility open to the general public.

- [California Health & Safety Code § 1596.78 \(Family Child Care Home definition\)](#)

Licensing does **not** convert a provider's home into a public space. Providers retain the right to control access to their homes, subject only to specific legal requirements.

2. Who Has a Legal Right to Enter

California law clearly identifies who may enter a licensed family child care home as part of oversight and care:

Individuals who do have a legal right to enter

- **Community Care Licensing staff** conducting inspections or investigations
 - [Health & Safety Code § 1596.852](#)
- **Other authorized government officials** (such as fire or health inspectors, law enforcement) acting within their official authority
- **Parents or legal guardians of enrolled children**, during normal operating hours and for purposes related to their child's care
 - [Title 22, California Code of Regulations \(CCR\) § 102419](#)

Individuals who do not have a legal right to enter

- California law does **not** require providers to admit:
- Members of the public
- Media, journalists, influencers, or content creators
- Researchers, advocates, or third-party "investigators"
- Any unknown individual without legal authorization

There is **no statute or regulation** granting these individuals a right of entry into a family child care home.

3. How Oversight, Accountability, and Fraud Prevention Work

Transparency and accountability in California’s family child care system are maintained through **formal, enforceable oversight mechanisms**, including:

- **Announced and unannounced licensing inspections**
- **Complaint intake and investigations conducted by CCLD**
- **Enforcement actions and corrective action requirements**
- **Contract monitoring, attendance verification, and audits** for publicly funded child care

Oversight and fraud prevention occur through these **established regulatory processes**—not through unscheduled public or media access to private homes.

- [Community Care Licensing Division – Family Child Care Homes](#)
- CCLD Complaint Hotline and Online Complaint Portal:
<https://www.cdss.ca.gov/inforesources/cclld-complaint-hotline>

4. Declining Unscheduled or Unauthorized Access

Declining entry to an unknown or unauthorized individual:

- **Is consistent with California law**
- **Does not limit transparency or accountability**
- **Does not indicate secrecy, fraud, or noncompliance**
- **Helps protect children from unknown strangers**
- **Preserves due process for providers and families**

Public or media access to private homes is **not a recognized oversight tool** under California law.

5. Recording, Filming, and Privacy

Even when access is otherwise permitted:

- Recording or photographing inside a family child care home requires **provider consent**
- Children may not be recorded or identified without **parent or guardian authorization**
- Unauthorized recording may violate California privacy and consent laws

Relevant authorities include:

- [California Constitution, Article I, § 1 \(Right to Privacy\)](#)
- [California Penal Code § 632 \(Confidential communications\)](#)

California Department of Social Services (CDSS)

- [Best Practices for Maintaining a Safe and Secure Child Care Environment](#)

Questions or Concerns?

If you have questions, experience pressure to allow unauthorized access, or want support understanding your rights, there are several resources available:

- **Child Care Providers United (CCPU)** (888)583-CCPU (2278) or <mailto:PRC@ccpuca.org>
- [Child Care Providers United \(CCPU\) Know your rights resource page](#)
- **Your County Community Care Licensing:** <https://www.cdss.ca.gov/inforesources/community-care-licensing>

Protecting privacy is a **legal obligation**, not a discretionary choice.