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Advanced Policy Analysis

Reconciling Fire Code Regulations for Child Care in California to Improve Child Outcomes

Research conducted for the Low Income Investment Fund
San Francisco, California

Prepared by

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Author's Note

The author conducted this study as part of the program of professional education at the Goldman School of Public Policy (GSPP), University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California or by any other agency.

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About the Low Income Investment Fund (LIIF)

The Low Income Investment Fund (LIIF) is a community development financial institution (CDFI) that invests in communities through loans and grants in facilities and programs. LIIF is driven by the belief that everyone in the United States should benefit from living in a community of opportunity, equity and well-being. LIIF mobilizes capital and partners to achieve this vision for people and communities. Since 1984, LIIF has deployed more than \$2.7 billion to serve more than two million people in communities across the country from its five offices. An S&P-rated organization, LIIF innovates financial solutions that create more equitable outcomes for all by building affordable homes, quality educational opportunities from early childhood through higher education, health clinics, healthy food retail and community facilities.

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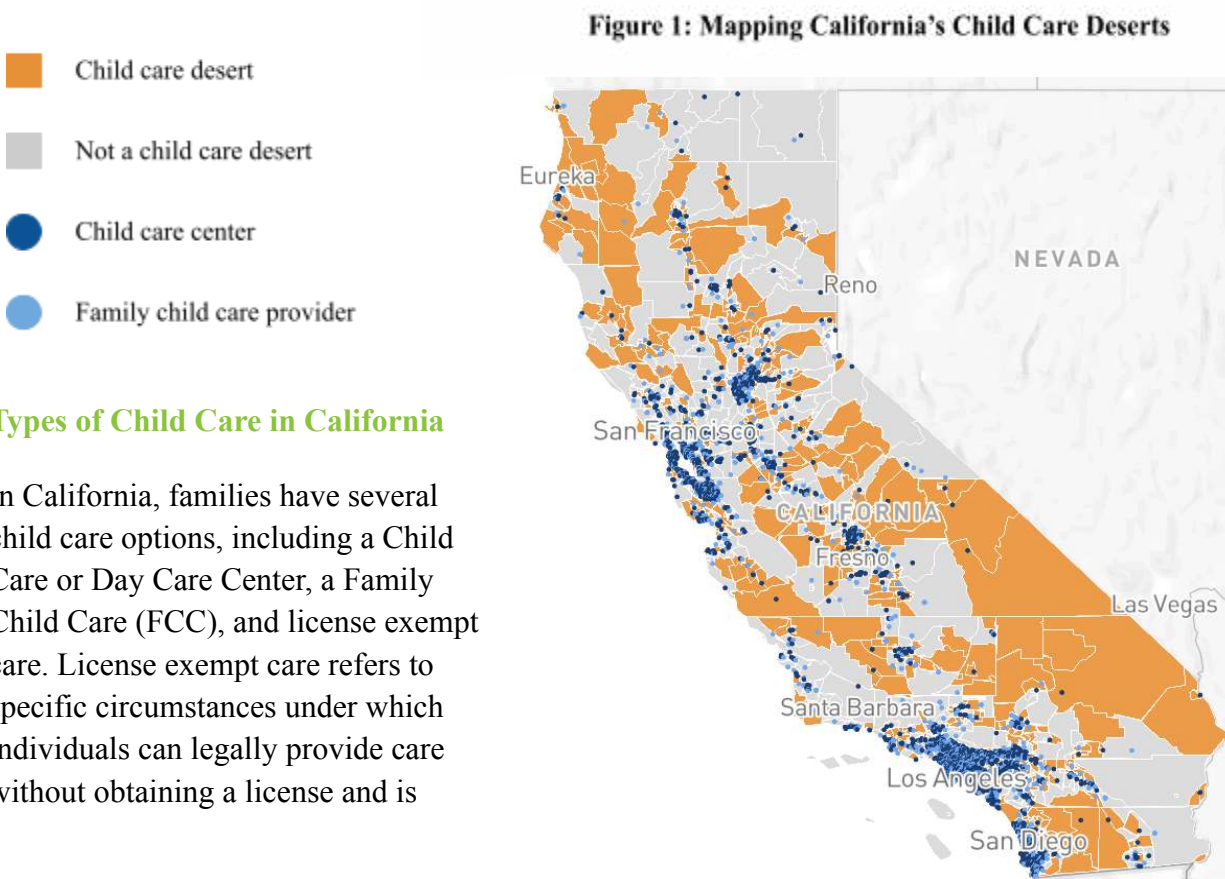
Glossary

BSC	Building Standards Commission
CALFIRE	California Department of Forestry and Fire Protection
CCL	Community Care Licensing
CCR	California Code of Regulations
CDE	California Department of Education
CDSS	California Department of Social Services
CFC	California Fire Code
DGS	California Department of General Services
ECE	Early Childhood and Education
ESL	English as a Second Language
FCC	Family Child Care
FFN	Family, Friend, and Neighbor Care
“Group E”	Education Occupancy Facility
“Group I-4”	Institutional Occupancy Facility
“Group R-3”	Residential Group Occupancy
GSPP	The Goldman School of Public Policy
IBC	International Building Code
ICC	International Code Council
IGP	Infrastructure Grant Program
LIIF	Low Income Investment Fund
OSFM	Office of the State Fire Marshal
SFFD	San Francisco Fire Department
TK	Transitional Kindergarten

Executive Summary

Background and Scope

California's licensed child care system is failing to meet demand, particularly for low-income and rural families, due to affordability issues and regulatory barriers to expansion. California faces a severe shortage of affordable child care, ranking among the least affordable states for families seeking care for young children.¹ In 2022, only one in nine of California's children eligible for child care actually received services.² Despite significant demand, only a fraction of eligible children receive subsidized child care, and over 60 percent of California's children live in child care deserts, regions with insufficient care options.³ Child care deserts are defined as areas where there are too few licensed slots for the number of children who need care.⁴ As indicated by Figure 1, rural communities in California are especially likely to be living in regions classified as a child care desert.⁵



Types of Child Care in California

In California, families have several child care options, including a Child Care or Day Care Center, a Family Child Care (FCC), and license exempt care. License exempt care refers to specific circumstances under which individuals can legally provide care without obtaining a license and is

¹ Schumacher, 2019.

² Pryor, 2024.

³ Center for American Progress, 2020.

⁴ Ibid.

⁵ Ibid.

often referred to as Family, Friend, and Neighbor care (FFN).⁶

Center Based Care	FCC	License Exempt
- Usually located in a commercial building. - Non-medical care and supervision is provided for infant to school age children in a group setting for periods of less than 24 hours.⁷	- FCC care must be provided in the licensee’s own home. - Reflects a home-like environment where non-medical care and supervision is provided for periods of less than 24 hours.⁸ Detailed descriptions of the regulatory differences between small and large FCCs can be found in Appendix A.	Includes: - Individuals who care for the children of a relative, or who care for the children of one other family in addition to their own. - Public as well as private non-profit programs that offer recreational services. - Businesses that offer limited child care to their clients and customers. - Programs that are overseen by state agencies.⁹

Equity Implications and Barriers to Expanding Licensed Child Care

BIPOC children (Black, Indigenous, People of Color) are disproportionately eligible for subsidized child care and as the demand for subsidized child care continues to outpace supply, families of color in California are most impacted by insufficient supply.¹⁰ Providing supervision or care to children other than one’s own, those of a relative, or for children of more than one other family requires a license.¹¹ Therefore, the majority of child care options for California families involve licensed care.

In most communities across California, there is a lack of licensed child care, which limits workforce participation, particularly among women, who make up 98 percent of the FCC and center workforce.¹² Further, the majority of child care providers are BIPOC, many of whom serve under-resourced communities and often face disproportionate barriers in navigating licensing processes, meeting regulatory requirements, and accessing capital to expand. These structural challenges can hinder providers’ ability to provide care and sustain their business, ultimately reducing access to culturally responsive care for families across California.

⁶ California Department of Social Services, 2025.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Pryor, 2024.

¹¹ California Department of Social Services, 2025.

¹² Center for the Study of Child Care Employment, 2022.

Expanding access to licensed child care is a process that involves two important components: Ensuring that providers are able to maintain their businesses and keep their facilities open and supporting providers that seek to expand their capacity to provide child care. Expanding capacity often requires making changes to an existing license, renovating an existing licensed space, or constructing and licensing new facilities. Maintaining existing facilities involves ensuring compliance with regulations and providing ongoing support for meeting fire safety standards. One critical step in this process is obtaining fire safety clearance through an inspection, which is required before a licensed facility can begin operating. The fire safety inspection process is the last step before providers can open or reopen their business, but can often be disruptive, as required upgrades often entail expensive structural renovations to the facility.

In 2022, the California State Fire Marshal implemented stricter fire safety requirements for center-based child care providers serving infants and toddlers, requiring automatic sprinkler systems and upgraded emergency communication systems for facilities with more than five children under 36 months old.¹³ These upgrades, which can cost hundreds of thousands of dollars per facility, have placed a substantial financial burden on many providers. This disruption has led to the delayed opening of dozens of child care centers across the state, leaving thousands of children and families unable to access services. The regulation, which went into effect in 2023, was poorly communicated to child care centers, leaving many providers unaware of the changes until after they had already made significant investments in their facilities and applied for licensure.

Providers and advocates have pushed back against the new code, claiming that regulators did not consult with members of the child care field before this requirement went into effect. With California experiencing such a shortage of infant and toddler care, this new regulation exacerbates this issue and is likely to result in decreased access to center-based child care. This poses further challenges to accessibility of child care in the state of California, especially for rural communities, low-income families, and families of color.

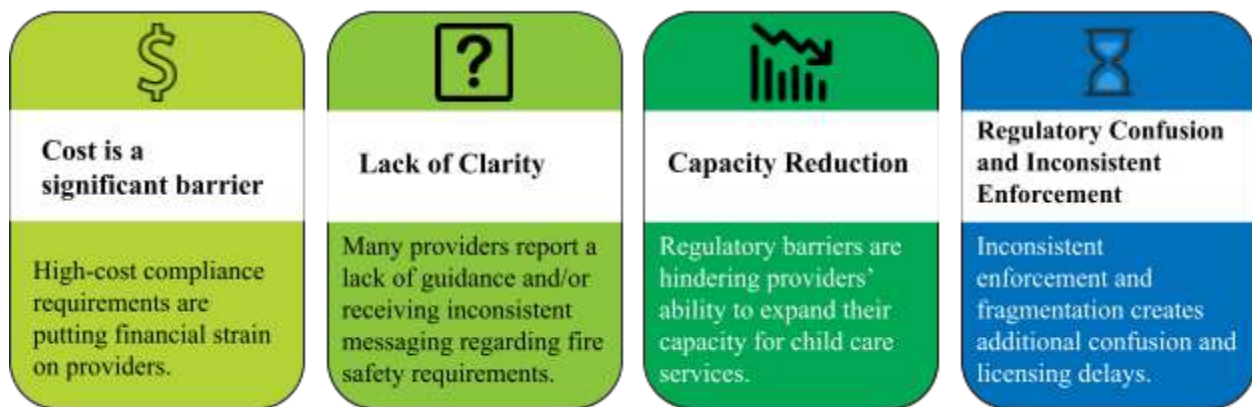
In response to advocacy efforts, the state passed legislation in September 2024 temporarily pausing implementation of the new occupancy standards until the Office of the State Fire Marshal (OSFM) and the California Department of Social Services (CDSS) can work together to create revised and more feasible standards for child care facilities. This pause is an opportunity to better align fire safety regulations with California's need to expand access to high-quality child care, especially for infants and toddlers. By taking this time to develop new regulations, California can work to minimize regulatory burdens for child care providers, ensure clearer and more consistent guidance, and offer the support providers need to meet safety requirements

¹³ California Building Standards Commission, 2022.

without burdensome delays or costs. By doing so, California can address the shortage and promote better child development practices for its families.

Key Findings

Findings suggest that fire compliance requirements can create significant challenges for providers seeking to expand child care programs, including cost burden and implementation challenges. Further, a lack of guidance for providers and inconsistent interpretations of fire codes among local fire departments and between regulatory agencies contributes to uncertainty about regulations and discrepancies in enforcement.



Fire safety is an essential component of the licensing process for both FCC providers and child care centers. Both types of facilities are required to meet fire codes that are designed to protect children and ensure safe evacuation in case of an emergency. However, while the ultimate purpose of these regulations, ensuring child safety, is the same for both, the experiences of FCC providers and child care centers in navigating fire safety standards are drastically different.

Recommendations

To reduce barriers for providers, enhance clarity of regulations and ensure consistent interpretation and enforcement between and among agencies, and better align fire safety needs with child development best practices, this research recommends the following:

1. **Provide state grant funding to assist centers and home-based providers meet evolving fire code requirements.**
2. **Develop policy guidance and offer training for fire departments and licensing offices statewide to standardize fire code interpretation.**
3. **Publish an easy-to-understand, publicly accessible resource that clearly consolidates and outlines all fire code regulations for child care providers.**
4. **Designate specialized child care inspectors within local fire districts or jurisdictions.**

Methodology

I. Research Objectives and Questions

This research aims to identify and address inconsistencies between California's fire code regulations and child care licensing requirements. The goal is to better align these regulations to promote child development best practices, reduce compliance burdens for providers, promote better coordination between agencies and ensure standardization of enforcement, and engage providers in the fire safety regulatory process at the local and state level.

The research questions that guided the processes and findings detailed in this report are as follows:

- Where are there inconsistencies between licensing, fire code requirements, and child development best practices?
- To what extent have state leaders and agencies engaged child care providers in the development of fire safety regulations and what strategies could improve this process?
- How can state and local governments support child care providers in meeting fire safety standards?
- What are the greatest obstacles or burdens for providers in meeting fire safety compliance? What are the greatest barriers to Early Childhood and Education (ECE) facility development in California?

II. Approach and Methods

The research followed a mixed-methods approach, incorporating qualitative and quantitative data collection.

Findings from this report are based on the following:

- A review of relevant literature and policy documents.
- A policy analysis of California fire codes and child care licensing policies.
- Field research involving stakeholder engagement, interviews, and a survey.

Literature Review

To establish a foundational understanding of the issue, this report provides a systematic review of existing literature, policy documents, and state licensing regulations and fire and occupancy codes. This included identifying the greatest barriers to Early Childhood Education (ECE) facility development in California and understanding the historical context of relevant

regulations. Specifically, the review focused on the evolution of California's fire code regulations and child care licensing policies, highlighting how these intersect and impact facility development.

Policy Analysis

This researcher conducted a short policy analysis to examine California fire codes and child care licensing regulations. This involved reviewing state licensing regulations, fire, and occupancy codes to assess major regulatory barriers. The analysis focused on how these policies affect ECE providers and their ability to open, maintain, and expand their facilities. As part of this analysis, this researcher examined the specific licensing processes for FCCs and center-based providers in California, including which fire and occupancy codes apply to each setting and what policies or requirements are unique or shared across both. This section also explored the impact of these barriers on providers' operations and facility development.

Field Research

Data was collected through interviews and a survey, aimed at understanding the impact of fire code regulations on ECE facility development. Interviews were conducted with a range of stakeholders, including child care providers in various community types (urban, suburban, and rural), advocates, experts in the field, and local fire officials. This qualitative data provided valuable insights into the challenges providers face in meeting fire safety standards with the licensing process. Interviewees were identified by LIIF staff as having experienced a change in their license in the last 12 months or as having experienced challenges with fire-code related licensing requirements. The qualitative analysis software program MAXQDA was utilized to manage, code, and visualize data from interviews.

Interview protocols and detailed qualitative data analysis may be found in Appendix C.

An online survey was administered to a broad sample of ECE providers who had applied to the California Child Care & Development Infrastructure Grant Program (IGP). The survey link was distributed via email by Madeline Bradshaw between April 9, 2025 and April 23, 2025. Participation was voluntary, and no incentives were provided. The survey included 16 questions, combining multiple-choice, Likert-scale, and open-ended formats to assess providers' experiences and challenges in meeting fire code requirements. A total of 597 completed responses were collected. The survey data offered insights into the difficulties providers face in navigating regulatory requirements. Combined with semi-structured interviews, the survey responses provided comprehensive insight into the impact of fire code compliance on providers' ability to open, maintain, and expand their facilities.

Survey questions and a comprehensive report of survey findings may be found in Appendix D.

Additional Data

This study will leverage reports and datasets from advocacy organizations such as Head Start California, the California Budget and Policy Center, the Center for the Study of Child Care Employment, and others to identify trends and challenges faced by providers.

To gain insight into how fire codes impact facility development and operations, this research will examine studies of ECE providers navigating regulatory requirements, using provider-reported experiences. Lastly, methods include the use of findings from existing research on this topic to identify best practices in child development and safety standards. This research aims to inform policy decisions that support child care providers while maintaining fire safety standards, ultimately improving outcomes for children in California.

Policy Recommendations

This researcher developed policy recommendations based on the findings of the literature review, policy analysis, and the field research. These recommendations, informed by the experiences and solutions identified by providers, aim to support child care providers while maintaining fire safety standards, ultimately improving outcomes for children in California.

III. Limitations

This research focuses on providers who have recently interacted with state fire officials, been impacted by the 2022 change in occupancy code, and/or have attempted to expand or change their license in the last 12 months. As a result, the field research does not reflect a representative sample of all providers across the state, but rather providers with recent experiences navigating fire codes due to license or regulatory changes, which may not be generalizable to providers who have not undergone similar processes.

Similarly, the available database of providers in the state for which to distribute the survey includes providers that applied for the IGP. This introduces the potential for selection bias, as providers included in the study are more likely to have engaged in facility expansion or renovation projects, potentially leading to an overrepresentation of those facing regulatory and financial barriers associated with such changes. Providers who have not pursued infrastructure improvements may have different experiences and perspectives that are not captured in this research. Further, child care providers able and willing to apply for grants and participate in surveys may already be more resourced or proactive than that of the average, meaning the barriers documented may be understated or not fully representative of all providers.

While the sample was not representative of all providers, the experiences captured offer critical insights into the systemic challenges providers face when navigating fire code compliance.

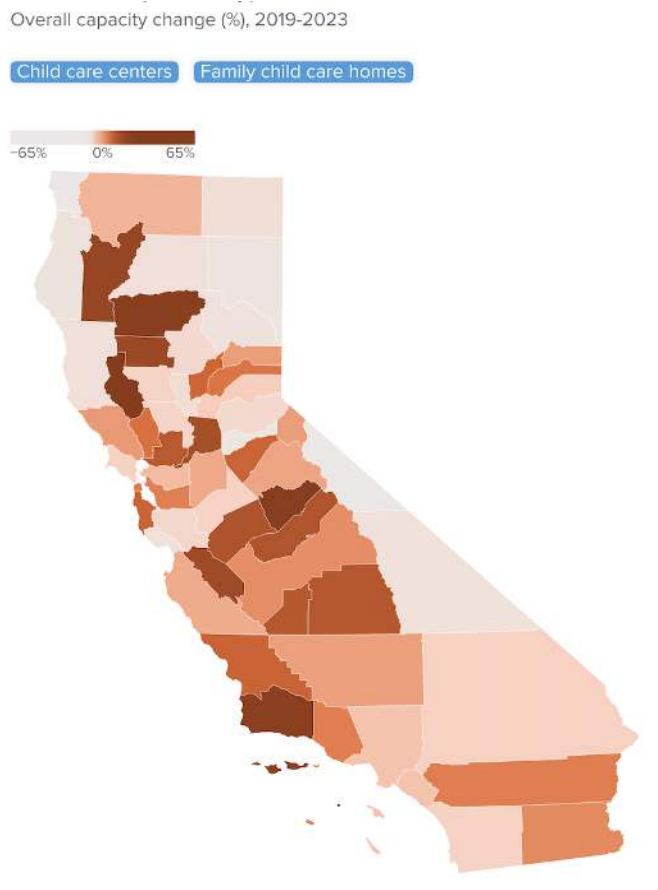
Additionally, this research only includes interviews from two fire inspectors, both of whom are with the San Francisco Fire Department (SFFD). A greater number of interviews and a more representative sample of fire officials, such as from other community types and regions, likely would have strengthened the findings of this report and captured more variation in interpretation, enforcement practices, and regional specific challenges related to fire code compliance.

1. Background

I. Under-supply of Child Care

California ranks among the top five states with the least affordable child care in a national survey. According to the California Budget & Policy Center, California has an unmet need for affordable child care, with only a fraction of eligible children receiving subsidized care.¹⁴ The problem is that there are significantly more eligible children and families than subsidized child care and preschool slots available.¹⁵ Demand for subsidized child care has outpaced supply, and the shortage of subsidized child care and preschool slots means that many families are left without affordable options. The state has lost considerable capacity for facilities and centers since 2008, when the state lost 91,000 of the 1.1 million licensed spaces available in that year, including 30 percent of licensed family child care spaces.¹⁶ The Center for American Progress defines a child care desert as a census tract where there are at least 50 children under age five, and where there is less than one licensed center or family child care space for every three children under age five.¹⁷ Based on this measure, 60 percent of California's children, compared with 51 percent of those across the United States, are estimated to live in a child care desert, the majority of which are children from rural communities.¹⁸ The COVID-19 pandemic further exacerbated this shortage, and Figure 2 indicates that many communities across the state have still not fully recovered from the loss of licensed child care during this period.¹⁹

Figure 2: Overall Capacity Change in the % of Licensed Child Care 2019-2023



¹⁴ Pryor, 2024.

¹⁵ Ibid.

¹⁶ Manship, K. & Muenchow, S, 2020.

¹⁷ Center for American Progress, 2020.

¹⁸ Ibid.

¹⁹ Guinan, B., Danielson, C., & Malagon, P, 2024.

One of the primary factors contributing to this shortage is the low wages and high operational costs faced by child care providers in California. On average, center-based child care providers earn between \$16 to \$19 an hour, a wage that often falls short of meeting the cost of living, particularly in urban areas where expenses are higher.²⁰ The median annual earnings of small FCC providers statewide is \$16,200 to \$30,000 and the median annual earnings of large FCC providers statewide is \$40,000 to \$56,200.²¹ The financial burden of running and sustaining a child care facility falls entirely on the providers, and there is limited state or federal financial support to support them with the operational costs of opening and maintaining a licensed space. Providers are responsible for expenses such as rent, facility upgrades, and staffing costs without substantial help from outside sources. This is compounded by the lack of adequate health benefits for many providers, making it even harder to retain staff and sustain operations.

II. Fire Safety in California: Intention and Impact

As California is a high wildfire risk state and especially following the recent fires in Los Angeles, fire safety is of the utmost importance to protect lives, habitats, businesses, property, and more. Fire codes, created and enforced by the OSFM, are crucial for safety as they establish regulations and standards for fire prevention and protection in buildings, aiming to safeguard lives and property by minimizing fire risks and ensuring effective emergency response. In the case of child care, fire codes are developed with the intention of protecting children and ensuring the safe evacuation of those who cannot evacuate themselves. Fire codes and regulations are created with the best of motivations, which are to protect the safety of children and prevent tragic fire-related accidents in child care facilities. Providers and fire safety officials alike have a shared goal of prioritizing children's safety.

"I had to remove a second story set of stairs for compliance and then fire would not allow me to use my entire second story which was my office, adult bathroom and staff room. No children allowed."

However, the impact of these regulations is often more complicated. While fire codes are intended to protect children, the way they are applied can sometimes inadvertently harm child care providers and families in the process. Over-regulation or rigid enforcement of fire safety codes can place a significant burden on child care providers, making it more difficult for them to operate or expand their facilities. Providers, licensing agencies, and fire officials share a priority of child safety and development best practices, but challenges occur when changes to fire or building codes are financially burdensome or poorly communicated.

²⁰ Center for the Study of Child Care Employment, 2022.

²¹ Ibid.

The financial and operational challenges that these regulations impose on providers can have a direct impact on child care availability in the state. As regulations become more difficult to navigate, and as providers are forced to spend resources on compliance instead of improving or expanding their services, many child care facilities face closures, delays, or reduced capacity. This exacerbates the existing shortage of child care spaces, leaving families with long waitlists and limited access to affordable care.

Providers note that the fire safety measures themselves are not at the root of the problem, but rather their lack of clarity and expensive implementation. By focusing solely on rigid compliance without considering the broader impact on child development and the operational realities of child care providers, there is a risk of unintentionally making it harder for providers to offer high-quality care to more California families.



"I was told I had to raise the building by 1 foot. I couldn't do that so I was not able to use this space [to provide care]."

Fire safety requirements can further compound providers' financial burdens, which add another layer of expense and complexity for providers. While these regulations are critical for ensuring the safety of children, they can be financially burdensome, especially for smaller, home-based providers. The cost of upgrading fire systems, such as installing sprinklers or maintaining adequate emergency exits, can be financially overwhelming for providers. These high compliance costs can discourage individuals from becoming providers, expanding their licenses, or can lead to the closure of existing centers, worsening the state's shortage of child care spaces. As a result, the financial pressures and regulatory burdens faced by child care providers not only impact their ability to sustain operations but also contribute to the broader issue of limited access to affordable child care in California.

An approach that maintains high standards of fire safety while also providing flexibility and support for providers is needed to address this issue in a way that promotes best practices for child development. By striking a balance between protecting children through fire safety measures and supporting providers to expand capacity, fire safety codes can exist without inadvertently hindering the availability of child care. The shared focus is on achieving the best developmental outcomes for children, and that includes ensuring that families have access to safe, affordable, reliable child care.

III. Fire Code Compliance and Licensing

Child care facilities must obtain fire clearance from the local fire department or local fire district in order to be licensed. Existing law in California requires a prospective applicant, before obtaining child care licensure, to secure and maintain a fire clearance approval for their facility

from the local fire enforcing agency or the State Fire Marshal.²² Existing law requires that prospective applicants be notified of this requirement and other information relating to the fire safety clearance application. The fire authority will inspect the facility to ensure compliance with California Fire Code (CFC) and Title 22 of the California Code of Regulations (CCR). Facilities must establish and maintain compliance on a variety of matters, such as fire and emergency exits, smoke and carbon monoxide detectors, sprinkler systems, emergency procedures, and more.

Local fire departments are involved in the licensing process for child care facilities by conducting inspections and completing fire clearance forms. Fire departments evaluate facilities for compliance with building and fire codes, primarily focusing on exits, evacuation pathways, fire extinguishers, and sprinkler systems. During inspections, providers are informed of required changes or compliance issues. Inspections typically focus on ensuring that facilities have updated systems, such as sprinklers and alarms, clear exits and evacuation routes, and that they meet compliance with building and fire codes.

In California, child care centers and FCC homes differ slightly in their fire code requirements. While both must receive fire clearance before pursuing a license, centers generally face stricter inspections and requirements, while FCC homes typically have more flexibility. Facility inspections are required more frequently for child care centers than FCCs. After initial clearance, centers in California must undergo regular inspections to ensure compliance with health and safety standards. California law mandates that licensed child care centers are inspected at least once every three years, while FCCs rarely experience additional inspections after licensure, unless when attempting to change or expand their license. For centers, non-compliance can lead to a range of penalties, which may include administrative fines, probation, or, in extreme cases, revocation of the license itself. The staffing and training of child care centers are heavily influenced by state licensing laws and often mandate specific staff-to-child ratios.

Child care centers must have multiple designated exits to ensure that children can be quickly evacuated in the event of an emergency. Centers must also have evacuation plans and conduct regular fire drills. FCCs must have at least two exits from the home but typically do not need large-scale evacuation plans. Child care centers face more rigorous fire safety infrastructure, including multiple exits, sprinkler systems, and emergency and evacuation plans. FCCs are smaller, residential operations and have less demanding fire safety standards, though they still need to meet basic fire safety criteria, such as having smoke detectors and ensuring clear exit routes.

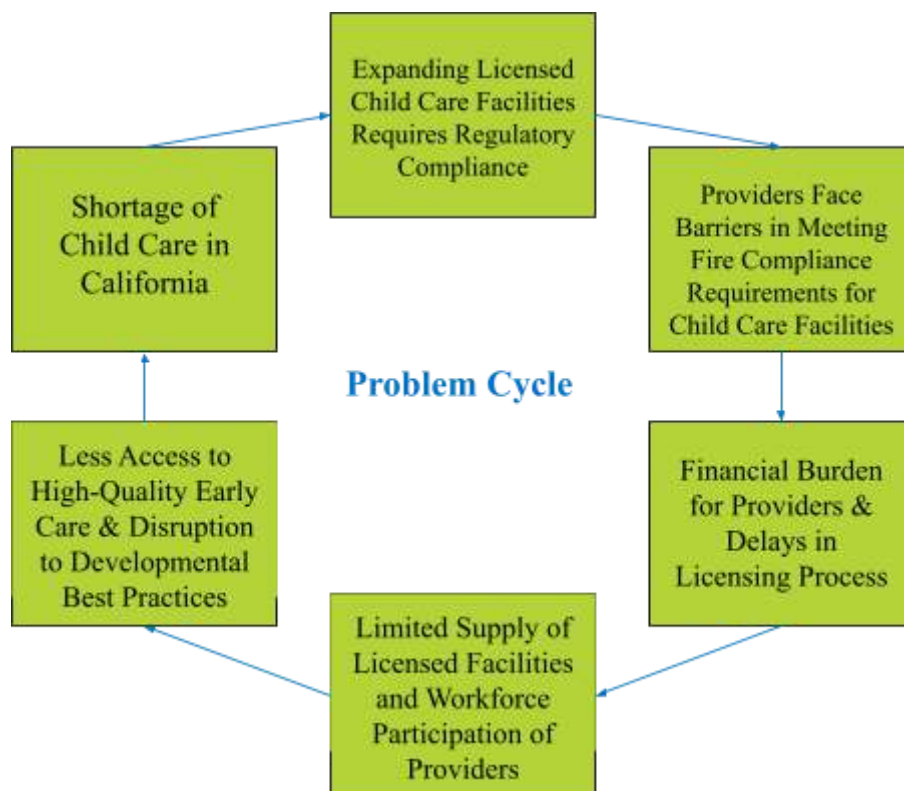
Appendix A provides a detailed comparison of fire safety regulations for FCCs and centers.

Figure 3 illustrates how regulatory and financial barriers related to licensing and fire code compliance exacerbate child care shortages in California. As providers experience challenges

²² Cal. Code Regs. Tit. 22, § 80020 - Fire Clearance.

meeting fire code compliance, they face increased costs and delays in the licensing process. These burdens discourage existing providers from expanding and deter new providers from entering the field. The result is a limited supply of licensed facilities and decreased workforce participation in the child care sector.

Figure 3: The Regulatory Burden Cycle Contributing to Child Care Shortages



IV. 2022 Update to California Building Standards Code, Title 24

Background

Building codes are essential to the licensing of child care centers in California, as certain types of building classifications are required to meet specific fire safety compliance. These codes are developed through a multi-level process that begins at the international or national level and is then adapted to meet state and local needs. The International Code Council (ICC) creates widely recognized model codes such as the IBC and the CFC, which establish standards for structural integrity, fire safety, and emergency preparedness. While these model codes provide an initial framework, California can make changes to its building codes to address unique regional risks, such as earthquakes and wildfires. Local jurisdictions may further modify these codes to reflect their community's specific conditions, and local fire departments enforce these standards. Local

governments are also responsible for implementing and enforcing building codes through licensing processes, fire inspections, and code enforcement officers.

The IBC occupancy classifications determine the maximum number of people allowed in a building space depending on its use and structural and safety requirements for each type. State law typically builds on the IBC, and different state agencies enforce individual components of these occupancy classifications. Center-based child care providers are nearly always classified as either Education (Group E) or Institutional (Group I-4) occupancy facilities.

Official code classifications can be found in Appendix B.

Section 305.2 of the ICC defines Group E buildings and structures as day care facilities that are occupied by “more than five children older than 2.5 years of age who receive educational, supervision or *personal care services* for fewer than 24 hours per day.” This code states that there shall be at least 35 square feet of indoor activity space per child based on the total licensed capacity. This code also requires that there shall be at least 75 square feet per child of outdoor activity space based on the total licensed capacity.²³

Institutional Group I-4 day care facilities are defined in Section 308.5 as “buildings and structures occupied by more than five persons of any age who receive *custodial care* for fewer than 24 hours per day by persons other than parents or guardians; relatives by blood, marriage or adoption; and in a place other than the home of the person cared for.”²⁴

The Title 24 Occupancy Code Update

In California, fire sprinklers are required in commercial buildings that are newly constructed or remodeled and have a fire area greater than 5,000 square feet. In 2022, the State Fire Marshal changed the building code to restrict the number of children ages 0 – 36 months in a classroom or facility from eight to five.²⁵ The change to Title 24 moves licensed child care facilities with more than five infants and toddlers into a new occupancy group, Group I-4 Occupancy, with increased requirements including automatic fire sprinkler systems and emergency alarm communication systems. Both systems must be installed throughout the site’s buildings, not only in classrooms serving more than five infants and toddlers.²⁶ This change is impacting child care programs and providers seeking to obtain or make major changes to their license. FCCs are generally classified under Residential Group R-3 occupancy, so they are not subject to this code change or to the same building codes as centers.

²³ International Code Council, 2025.

²⁴ International Code Council, 2025.

²⁵ Cottrill, 2024.

²⁶ International Code Council, 2025.

As a result of this change, child care centers which have previously been categorized by “Group E” occupancy classification are being limited to 5 children between the ages of 0 and 36 months. This is inconsistent with licensing requirements, which will permit up to 8 children. Programs with a “Group E” occupancy classification must advance to an “I” classification to enroll 8 children; the “Group I” clearance has additional compliance requirements, including installation of sprinkler systems.

The State Fire Marshal cites safety concerns related to evacuating very young children during a fire emergency as the primary reason for implementing this restriction.²⁷ Similarly, the updated building code is said to conform to IBC standards.²⁸

Impact of the Update on Center-Based Providers

With this update, many providers claim that the OSFM did not demonstrate a comprehensive understanding of the child care context or the cost barriers to meeting the requirements. With no public funding available for centers to make the changes, advocates across the state, led by Head Start California, mobilized to pause implementation of this new regulatory change. Build Up California was one of several organizations to submit a letter of support to request that child care providers are permitted to adhere to Chapter 3 of Title 24 of the California Building Code Child as it existed on December 31, 2022, until revisions are made.²⁹ In September 2024, California lawmakers passed a bill that pauses enforcement of this new code for providers until the OSFM and the CDSS come up with new occupancy standards for child care centers.³⁰

The regulation went into effect in 2023, but a lack of sufficient communication by state regulators left many child care centers unaware of the new policy. Many providers learned of the updated regulation when they applied for licenses to care for children under three years old and were unable to obtain fire clearance. Providers and advocates pushed back against the new code, claiming that the code was developed without adequate consultation of center-based providers or consideration of its impact on the ECE field.

As a result of this code change, child care centers have had to meet an updated set of health and safety regulations for ECE care, including adhering to a strict ratio of one adult for up to four children. Head Start California surveyed 320 center-based providers across the state in August 2024 and 34 percent said they responded to the code change by closing newly renovated classrooms, reducing slots for infants and toddlers, or seeking estimates for fire sprinklers.³¹ The

²⁷ California Department of General Services, 2022.

²⁸ Ibid.

²⁹ Cottrill, 2024.

³⁰ Nguyen, 2024.

³¹ Ibid.

survey estimated that more than 2,250 infants and toddlers lost or could lose access to center-based care as a result of this update.³² This would exacerbate the shortage of child care in the state. Providers have been forced to respond by reducing available slots for infants and toddlers or thinking about costly renovations to install fire sprinklers. One San José based center that participated in Head Start California’s research reported that the renovations to adhere to this code would have cost \$150,000.³³

Expansion of Transitional Kindergarten (TK) Eligibility to all Four-Year-Olds

California is in the process of expanding TK to all four-year-old children. In 2021, the state established a plan to gradually expand TK eligibility from 2022-23 through 2025-26.³⁴ This means that all school districts in California, except charter schools, will be required to offer TK to all four-year-olds by the 2025-2026 school year.³⁵ Many non-state funded center-based programs had previously provided care for three and four-year-old children. With the expansion of TK to all four-year-olds, many center-based providers, particularly non-state funded programs, are attempting to transition to serve different age groups, such as infants and toddlers, to maintain their businesses and expand their capacity. However, with the new code update requiring sprinkler system installations for more than 5 children aged 36 months or younger, providers face significant barriers to making changes to their license and transitioning to serve younger age groups. As many providers seek to shift their enrollment to younger age groups in response to the expansion of TK, this update poses financial and logistical challenges that can delay, discourage, or prevent license modification.

³² Ibid.

³³ Ibid.

³⁴ Saucedo, 2025.

³⁵ Saucedo, 2025.

2. Stakeholder Engagement and Field Research

I. Participation in California ECE Fire Code Coalition

Led by Melanee Cottrill, Executive Director of Head Start California, the ECE Fire Coalition is made up of providers, Head Start staff, and other child care advocates who are dedicated to improving fire code and licensing processes for child care facilities. The coalition monitors inconsistencies in code enforcement, assesses regulatory or compliance burden on providers, regularly attends fire code meetings, and tracks the progress toward revising the 2022 code and developing more practical and achievable safety standards for child care centers.

II. Stakeholder Interviews

To better understand the perspectives related to this issue and assess provider experiences with fire safety compliance, this researcher conducted interviews with providers across the state. Providers were selected from both urban and rural communities in California. This geographic diversity allowed for an assessment of varying challenges, such as differences in access to fire inspection services, local fire codes, and emergency response infrastructure. Additionally, the interviews included providers from different types of child care settings, including larger child care centers, which typically operate in commercial facilities, and family child care homes, which provide care in residential settings. This range of provider types was important for understanding how fire safety regulations and compliance processes are applied across different environments and child care settings. By incorporating the perspectives of both center-based and home-based providers, the interviews provided insight into the unique regulatory burdens, resource limitations, and support needs experienced by different providers of the child care field.

Interviews conducted with center-based providers focused on their experiences with the 2022 occupancy code update and/or their experience in transitioning to serve different or additional age groups. Interviews with FCC providers focused on their experiences with the licensing process when attempting to expand their FCC license from small to large.

Interviews were conducted with the following child care providers:

- Denise Alioto – Enchanted Play Infant & Preschool Center, Chico, CA
- Yanyan Guo and Kenny Li – Large FCC providers based in San Francisco, CA
- Anonymous large FCC provider based in San Francisco, CA
- Pranita Venkatesh – Large FCC provider based in San Carlos, CA
- Kendra Pimsakul – Large FCC provider based in Saratoga, CA
- Liz Scully, President and Founder – San Mateo County Family Child Care Organization
- Christine Shreves – Holy Cross Preschool, Belmont, CA

To complement the perspectives of child care providers and gain a better understanding of fire safety compliance in child care settings, interviews were also conducted with fire officials across California. Officials included fire marshals, inspectors, and other personnel responsible for enforcing fire safety regulations. Interviews with fire officials seek to gain insight into their roles, responsibilities, and priorities when it comes to ensuring the safety of child care facilities. The interviews will explore a range of topics, including the specific fire safety concerns that arise in child care environments, common compliance challenges observed during inspections, and how fire officials work with providers to interpret and meet regulatory requirements.

Interviews were conducted with the following fire officials:

- Captain Kerry Mann — SFFD
- Denise Bailey, Fire Inspector – SFFD

Interviews were also conducted with key child care advocates and experts in the field, including:

- Melanee Cottrill, Executive Director – Head Start California
- Laura Pryor, Research Director – California Budget and Policy Center
- Ralph O’Rear, VP of Facilities and Special Projects – North Bay Children's Center

III. Provider Survey

This report includes findings from a survey administered to child care providers across the state. This survey was distributed to providers that applied for the IGP grant, administered by CDSS in partnership with LIIF, which provides funding for child care infrastructure projects.

The anonymous survey went out via email to approximately 5,000 providers across the state, some of whom received the survey in English and some in Spanish. This sample includes both small and large FCC providers and center-based providers. Of 597 total respondents, 509 completed the survey in English, and 88 completed the survey in Spanish. Approximately 39 percent of respondents operate or provide center-based care, and 61 percent operate or provide in a FCC setting. Providers that participated in this survey serve a range of age groups, from infants (aged 0 – 18 months) to primary school aged children (5+ years old).

This survey was administered to better understand the relationship between California fire code regulations and child care licensing. The goal of this survey was to understand provider experiences with licensing requirements and fire code compliance and how they impact providers’ work.

3. Findings

Findings are organized into four key challenges that providers face when attempting to comply with fire safety requirements in the licensing process: (1) The overall regulatory burden of meeting fire safety requirements; (2) Difficulty understanding and implementing fire safety regulations; (3) Regulatory inconsistencies, conflicting enforcement practices, and fragmentation; and (4) Operational disruptions that reduce capacity and contribute to shortages.

These challenges indicate how current regulatory processes in child care licensing and fire safety policy can inadvertently create barriers to expanding access to licensed care and place an undue burden on providers.

I. Fire Compliance Requirements and Regulatory Burden

Fire compliance requirements create significant challenges for providers seeking to expand child care programs, whether expanding from a small to a large FCC or transitioning to serve different age groups (e.g., infants vs. school-age children). These requirements often trigger new inspections, renovations, and additional costs, making expansion financially and logistically difficult for providers, particularly for small and home-based operators.

Providers must comply with a wide range of fire safety regulations at the state and local levels, which can be complex, overlapping, and difficult to understand. These regulations often vary depending on the type of child care facility, location, and the ages of the children served.

Specific fire compliance requirements include:

- Sprinkler system installation.
- Fire and smoke alarm system requirements.
- Emergency exit requirements, such as:
 - Clearly posted and illuminated exit signage
 - Minimum number of exit doors
 - Designated unobstructed evacuation pathways
- Indoor space and square footage requirements.
- Fire extinguisher requirements, including:
 - The number, size, type, and location
 - Requirements for inspections and maintenance
- Outdoor space, fire lane, and building access regulations.
- Fire drills and evacuation procedures.
- Crib egress requirements, such as:

- Ensuring door widths and heights are able to allow for the evacuation of cribs.
- Retrofitting
- Provider-to-child ratio requirements.
- Paperwork and record-keeping requirements, including:
 - Maintaining fire inspection reports
 - Evacuation drill logs
 - System maintenance records
 - Compliance certificates

Some of the most burdensome fire code requirements for child care providers in California stem from their cost, the complexity of implementation, and strict enforcement. Means of crib egress and sprinkler systems are two of the most common and costly conditions providers are required to meet. For center-based facilities that usually operate out of commercial spaces, these conditions are often easier to achieve, as buildings are newer, access to utilities are well-established, and serving more children can bring in greater center revenue. For home-based providers, installing these safety systems can be costly and disruptive to not only their business but to their family home. Similarly, installing an automatic fire sprinkler system can cost tens to hundreds of thousands of dollars.

According to fire officials who participated in this research, inspectors focus on verifying updated systems, clear exits and evacuation routes, and compliance with building and fire codes, including requirements related to exits, sprinklers, alarm systems, and fire extinguishers. Fire officials identified emergency exit requirements, means of crib egress, and fire extinguisher requirements as the most common non-compliance issues or violations seen with child care facilities.

Challenges in Understanding and Implementing Fire Safety Regulations

Many providers that participated in this research describe fire codes as difficult to interpret, often leaving them unsure of what is expected or how to achieve compliance. 56 percent of interviewed providers referenced confusion or uncertainty about what fire code-related licensing requirements mean or entail and 67 percent reported difficulty locating or understanding regulatory requirements or compliance steps.

This quote from a survey respondent illustrates a common sentiment shared by many participating providers: “The guidelines they gave me were unclear. I would have appreciated a bullet point list of the requirements.”

Survey results indicate that over a third of child care providers, both FCC and center-based, experience difficulties in understanding and implementing licensing requirements related to fire safety. Figures 4 and 5 show that English-speaking and Spanish-speaking child care providers

reported similar difficulty understanding and implementing fire safety licensing requirements. Specifically, 35 percent of English speaking survey respondents indicated extreme or some difficulty in understanding and implementing fire code-related licensing requirements with Spanish-speaking respondents yielding similar results of 36 percent. Spanish-speaking providers were less likely than English-speaking providers to describe the process as “extremely easy” (3.7 percent vs. 10.1 percent), suggesting that language accessibility may play a role in shaping provider experience and understanding of fire safety requirements.

Figure 4: Experience in Understanding and Implementing Fire Safety Licensing Requirements

How would you describe your experience in understanding and implementing licensing requirements related to fire safety? (English)

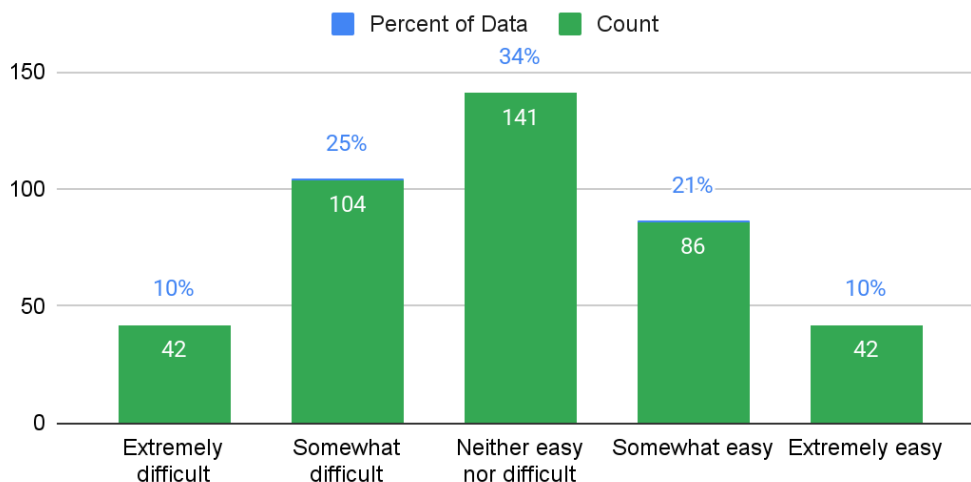
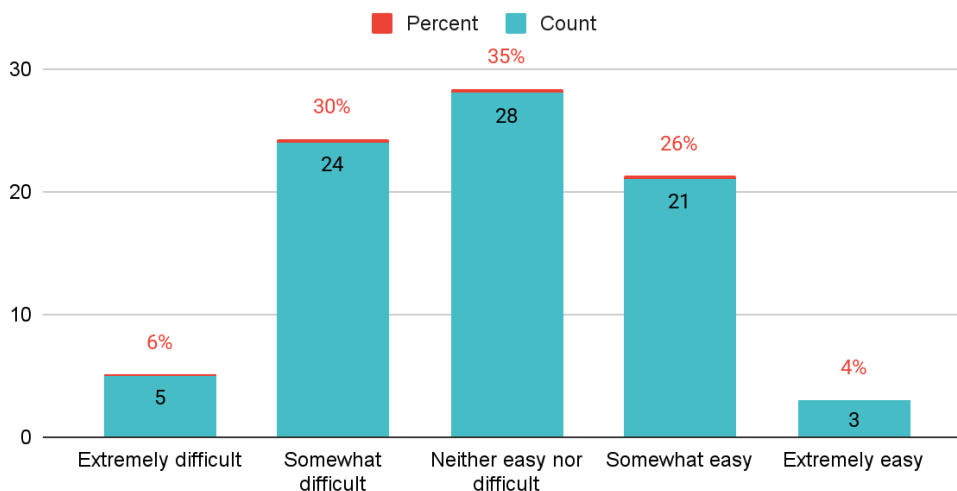


Figure 5: Experience in Understanding and Implementing Fire Safety Licensing Requirements

How would you describe your experience in understanding and implementing licensing requirements related to fire safety? (Spanish)



25 percent of English-speaking respondents reported that fire code licensing requirements delayed or prevented opening a new facility, and 32 percent said compliance requirements delayed or prevented them from expanding their license. Spanish-speaking respondents were less likely to report challenges with fire code licensing requirements, with 6 percent sharing that fire code licensing requirements delayed or prevented opening a new facility and 16 percent claiming compliance requirements delayed or prevented them from expanding their license.

Cost Burden

The installation of sprinkler systems and other required fire safety upgrades is often prohibitively expensive for child care providers, who typically do not receive state funding or grants and are expected to cover the costs out of pocket.

"[The fire department] required two street exits from the level of the house that my child care program is located, and this is not possible to achieve, mainly for the unbearable cost related to changes to the building I would have to make to meet this requirement."

The cost burden associated with meeting compliance is the most common theme identified in interviews, impacting both center-based and FCC providers. One center-based provider in Chico stated in an interview that meeting a fire safety requirement of installing a monitored heat protection system and fire access control panel cost \$13,000. A FCC provider in San Francisco was quoted \$12,000 to install a central heating system, as required by the SFFD, which she paid out of pocket. This point of high cost burden for

providers seeking to expand their license or transition between serving different age groups was a consistent theme across all of provider interviews conducted and interviewees consistently described the financial strain of complying with requirements as a major obstacle to expansion.

Survey respondents share similar experiences of being cost burdened by fire code-related licensing requirements. One provider noted that it cost \$20,000 to install a second fire alarm system to be up to code. Others shared smaller, yet still burdensome, expenses: "I had to pay over \$500 to get a fire alarm installed to expand my home daycare."

A quote from a survey respondent highlights how providers are bearing the brunt of fire code compliance costs with little external support, often paying entirely out of pocket: "Hopefully in the near future I can save more to pay for the expenses needed for the fire requirements."

Table 1 shows the cost level of some of the most common compliance requirements, indicating that sprinkler system installation and indoor space and square footage requirements are among the most expensive fire safety measures to comply with.

Table 1: The Costs of Fire Compliance

Requirement	Cost Level	Estimated Cost Range
Sprinkler System Installation	\$ \$ \$ \$ \$	\$10,000 - \$80,000
Fire and Smoke Alarm Systems	\$ \$	\$2,000 - \$5,000
Indoor Space and Square Footage	\$ \$ \$ \$ \$	\$15,000 - \$300,000
Emergency Exit Requirements	\$ \$ - \$ \$ \$	\$1,000 - \$10,000
Fire Extinguisher Requirements	\$ - \$ \$	\$600 - \$4,500
Heating and Cooling	\$ \$ - \$ \$ \$	\$5,000 - \$15,000
Outdoor Space and Building Access	\$ - \$ \$	Upgrade costs if retrofitting
Fire Drills and Evacuation Procedures	\$	Labor costs
Crib Egress Requirements (including retrofitting)	\$ \$ \$ \$	\$12,000 - \$35,000
Provider-to-Child Ratio	\$ \$	Hiring, operational, and labor costs
Paperwork and Record Keeping	\$	Recurring labor and operational costs

Planning and Implementation Challenges

In addition to the cost burden, 56 percent of interviewees also identified significant planning and time costs, as well as difficulty of implementation when trying to comply with fire safety standards for their facilities. In this context, planning and implementation largely refers to the time and effort required to make any necessary changes or upgrades to a facility to meet compliance requirements.

Survey respondents identified sprinkler system installation, fire and smoke alarm systems, and emergency exit requirements as the most challenging fire code-related requirements to meet, with 38.4 percent of respondents selecting sprinkler system requirements, 42.8 percent selecting fire and smoke alarms, and 36.5 percent selecting emergency exits as one of their three greatest challenges as indicated by Figure 6. The greatest challenges identified in Figure 6 tend to be expensive, technical, and require structural changes.

Figure 6: Greatest Compliance Challenges

Which of the following fire code-related requirements have posed the greatest challenges for your facility?

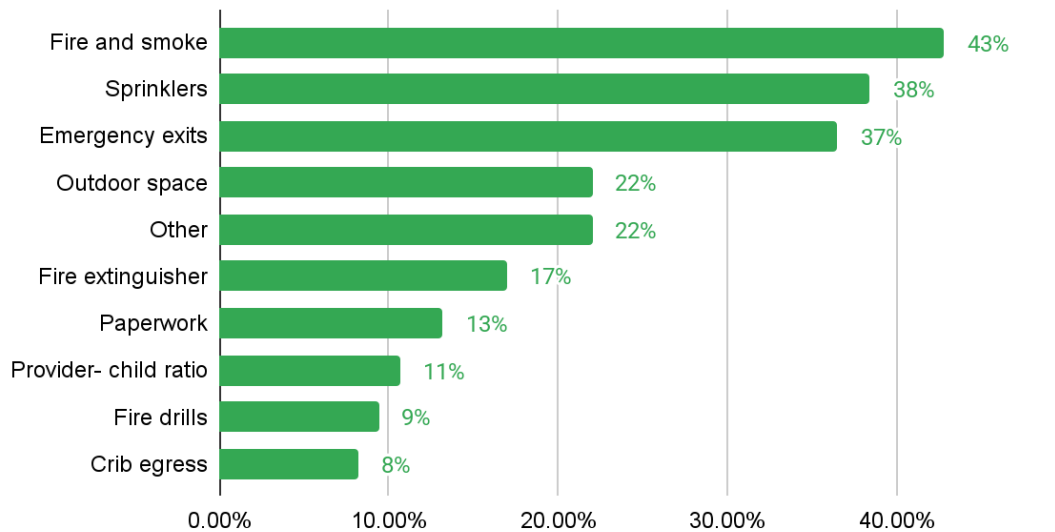


Figure 6 displays which fire code requirements providers find most difficult to meet. Fire and smoke alarms, sprinkler systems installation, and emergency exit requirements were identified as the top three most challenging regulations to comply with. These top three categories are all high-cost and/or structural requirements, reinforcing that major physical infrastructure upgrades are the primary barriers providers face.

“I was having trouble finding a manual pull down fire alarm so I had to purchase a wired one and now need to find someone to wire it for me. That’s delayed the process a bit.”

Table 2 summarizes the ease of implementation of various fire code-related requirements. “Ease of implementation” refers to how difficult or intensive it is for a provider to meet a specific fire code requirement, largely based on the time, cost, planning, and coordination involved. Structural changes, such as sprinkler system installation, emergency system installation, and increasing indoor space, are among the most difficult and costly to achieve, often requiring major renovations and in some cases, a permit.

Table 2: Ease of Implementation of Fire Safety Requirements

Requirement	Ease of Implementation	Justification
Sprinkler System Installation		Requires major construction and potential structural changes. Particularly challenging for older buildings and facilities.
Fire & Smoke Alarm System		Relatively straightforward process for meeting compliance (such as hiring licensed installers, ensuring correct placement).
Indoor Space and Square Footage		Can require major construction and structural changes to the facility, including additions to the space.
Emergency Exit Requirements		Level of difficulty is largely dependent on the building or type of facility. Older facilities may pose greater challenges with door widening, space expansion, or reconfiguring pathways.
Fire Extinguisher Requirements		Low effort required to buy, mount, and schedule maintenance.
Outdoor Space & Building Access Regulations		Can be facility-dependent. Some facilities already comply, while others may need major parking lot and building access adjustments.
Fire Drills and Evacuation Procedures		No physical implementation required. Staff training and operational planning are the primary components of compliance.
Crib Egress		May require widening doorways, altering walls, or purchasing evacuation cribs.
Provider-to-Child Ratio		No physical implementation required. Meeting provider-to-child ratio requirements involves significant staffing and operational considerations.
Paperwork and Record-Keeping		No physical implementation required. Administrative effort and organizational systems needed to document fire inspection reports, evacuation drill logs, system maintenance records, and compliance certificates.

II. Challenges Implementing the 2022 Code Update

Center-based providers that participated in this research reported a variety of unique challenges when working to implement the new fire codes, as these regulations applied exclusively to centers and not FCCs. Due to the updated fire code going into effect after one provider signed a lease on a second location, she was not able to care for infants at the facility as planned. As soon as the code was paused, this provider filed for an infant license. It took nearly 5 months to get the license, and her business ended up going under during this time.

This provider also reported significant challenges related to funding delays and the cost of required fire safety upgrades. Although the provider was awarded a grant to support facility improvements, the funds had not yet been disbursed at the time of the interview. The provider noted that the grant was awarded with specific goals and planned uses in mind, none of which included the installation of a sprinkler system. However, due to rising labor and material costs, she anticipates having to redirect more than half of the allocated grant funds toward installing sprinklers, significantly reducing the amount available for other planned renovations aimed at improving the overall quality of the school environment.

Survey respondents confirm experiencing similar challenges with the code update. One respondent shared:

This change places an immense financial strain on small businesses. The required modifications to meet the new fire code are costly, and many small ECE facilities operate on tight budgets that cannot accommodate such significant expenses. We already struggle to provide infant care due to the high demands of licensing, and these additional requirements could push us beyond our financial limits.

Another respondent shared that the code update has deterred them from expanding their capacity to provide care, “I wanted to add an infant room to my facility but we do not have a sprinkler system and we were not required when we were initially licensed but it’s my understanding that it would be required now and we can’t afford one.”

Of survey respondents who indicated that they were familiar with recent fire code changes that impact child care providers, 28 percent reported that these changes had either somewhat or significantly hindered their ability to expand their license or increase their capacity to provide child care. This suggests the tangible impact that this policy change is having on ECE development in the state.

III. Regulatory Inconsistency and Fragmentation

Inconsistent Messaging and Conflicting Information

A central theme across both interview and survey data is the inconsistency in how fire codes are interpreted and enforced across jurisdictions and regulatory agencies. Providers participating in this research consistently reported receiving conflicting information from fire officials and licensing agencies about what fire safety requirements apply to their specific child care settings. 67 percent of interviews referenced receiving inconsistent messaging or inconsistent information, whether between fire officials at the state and local levels or even among fire officials within the same department.

Survey respondents echoed similar sentiments, sharing experiences of different interpretations and understanding of the codes from different inspectors or even receiving incorrect information from regulatory agencies.

Further, many providers participating in this research report not having access to sufficient or comprehensive information regarding fire code requirements and how they apply to their facility. As seen in Figures 6 and 7, over one third of survey respondents indicated that they either somewhat or strongly disagreed with the following statement: “I know where to go to find information about fire codes and fire safety regulations as they apply to my child care facility.”

Figures 7: Provider Access to Information

Please indicate your level of agreement with the following statement: I know where to go to find information about fire codes and fire safety regulations as

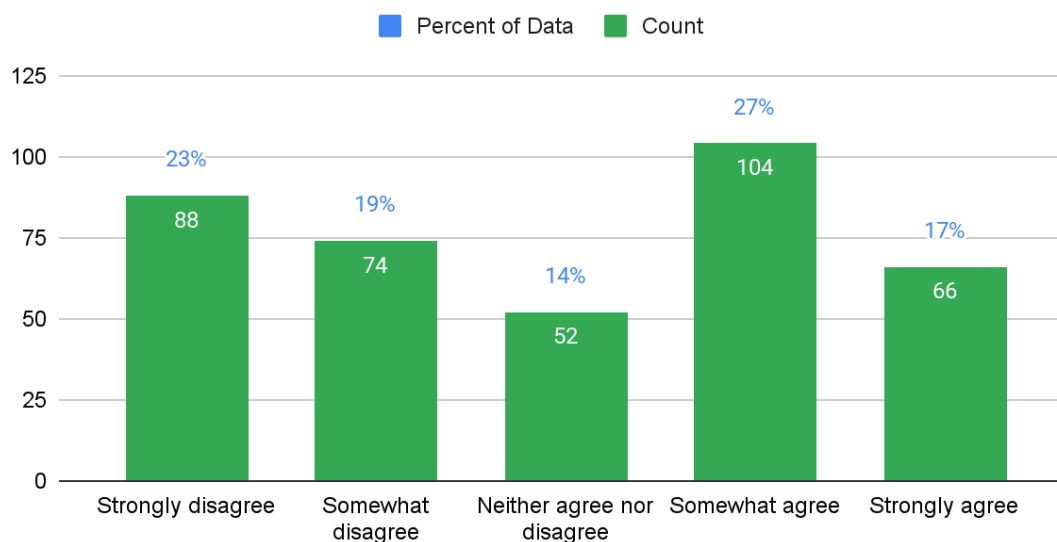
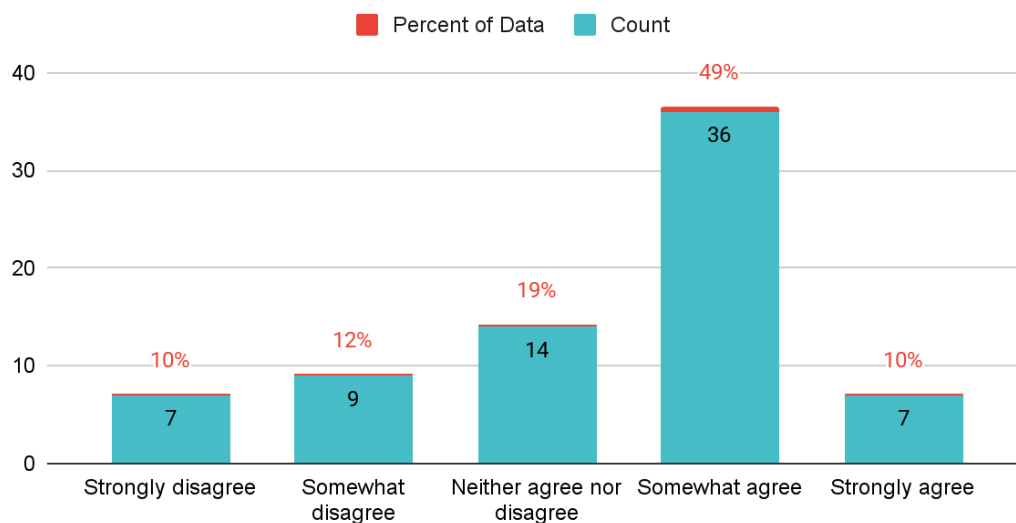


Figure 8: Provider Access to Information

Please indicate your level of agreement with the following statement: I know where to go to find information about fire codes and fire safety regulations as



Figures 7 and 8 show that Spanish-speaking providers were more likely to “somewhat agree” they know where to find information about fire safety regulations compared to English-speaking providers. However, English-speaking providers were more likely to either strongly agree or strongly disagree, indicating a more polarized experience.

Enforcement Discrepancies

Interviews with providers reveal inconsistencies in how fire codes are interpreted and enforced. Providers frequently described situations in which local fire inspectors and licensing staff offered contradictory guidance on the same regulation, leading to confusion about which standard to follow. In some cases, licensing even approved their facility for a license expansion, only for the local fire authority to deny clearance based on a different interpretation of the same fire safety regulations. Additionally, discrepancies were observed between local and state-level fire officials, with some providers noting that local fire authorities interpreted codes differently than the OSFM.

With the 2022 occupancy code change, providers raised that many fire inspectors misunderstood and misapplied the updated regulations. The rule applied to new facilities, but many local fire inspectors assumed that child care centers applying for a new license also needed to comply with it and enforced the updated code upon providers seeking to expand or make changes to their existing licenses.

Though the roll out of the updated code was paused as a result of advocacy efforts, there are still circumstances in which local fire inspectors are continuing to enforce the updated occupancy

standards. Many providers attribute this inconsistency to a lack of coordination and communication between state and local fire agencies.

Several providers interviewed for this research shared experiences of being required to complete costly renovations that were later found to be unnecessary or based on incorrect interpretations of fire codes. In some cases, fire officials enforced standards that center-based facilities are subject to when inspecting FCCs, which are not subject to the same requirements.

A FCC provider based in San Carlos seeking to expand her license was informed by a fire official during an inspection that the installation of a central heating system was required for compliance. After making the changes and installing the heating system, she learned from the OSFM that the central heating system was not required and that the local fire officials had misunderstood the code, indicating a clear discrepancy in interpretations of the code between state and local fire officials.

Another FCC provider in San Francisco seeking to expand from small to large was told during a fire inspection that her second exit wasn't large enough to meet the fire code, which she later found to be inaccurate. She had cleaned out and renovated the downstairs of her home to create additional child care space, and after making several adjustments, she was still told that her facility still didn't meet the requirements. Fire officials cited several reasons for non-compliance, such as exit distances that seemed arbitrary and inconsistent. This provider measured the exits herself, only to discover that they met the requirements, but fire officials insisted that the exits needed to be on opposite sides of the building. This series of contradictory communication led to a year-long process of six inspections and a \$22,000 investment in renovations before she finally received her expanded license. The lack of coordination and conflicting standards between local fire officials and the state only added to the complexity of the situation, contributing to delays that affected both this provider's ability to expand and the families waiting for child care.

78 percent of interviews discussed experiences with inconsistent enforcement of fire codes and referenced examples of regulatory agencies or even individuals within the same agency interpreting and enforcing requirements in varying or even contradictory ways. A survey respondent shared an experience of "different interpretations from different inspectors" when asked about encountering any challenges in meeting fire code requirements.

One provider recounted an experience where they appeared to have a better understanding of how fire codes applied to FCCs than the fire official conducting the inspection: "It was unclear to the fire marshal what was required (and not required) for in-home daycares. I was mostly informing him!"

Lack of Coordination and Fragmentation

Not only did providers surveyed and interviewed report inconsistencies in enforcement and messaging among fire officials, but also between regulatory agencies, such as fire and licensing agencies. 78 percent of interviews highlighted a lack of coordination and fragmentation between licensing agencies and fire jurisdictions. A lack of clear communication and guidance around compliance expectations was a consistent theme across all interviews. This lack of clarity and fragmentation not only contributes to delays in the licensing process but also creates significant cost burdens and operational challenges for providers.

Child care providers are often left to navigate a maze of inconsistent regulations, conflicting messages, and unclear expectations, and many providers feel frustrated and unsupported through the licensing and inspection process. In some cases, fire officials and licensing agencies have provided contradictory information. One provider expressed that “There are competing priorities [between fire and licensing agencies] when it comes to things like exits. Different fire marshals have insisted certain doors open one way or another, which at times has conflicted with licensing preferences.” This provider’s discussion of “competing priorities” reflects a lack of alignment between the goals, interpretations, and enforcement practices of different regulatory actors in the child care licensing process. Another survey respondent noted a “clear disconnect between the two offices,” referring to licensing and fire agencies. Findings from this research indicate the breakdown in inter-agency coordination that many providers are experiencing when attempting to comply with both fire safety and licensing requirements.

Fire officials that were interviewed for this research also identified a lack of coordination between fire departments and licensing agencies. One former building inspector with SFFD shared that licensing agencies often interpret and enforce fire codes independently from fire departments. Further, this inspector noted that licensing bodies and fire departments don’t always collaborate effectively, which can lead to confusion for providers and inconsistent interpretations of code between fire and licensing.

This inspector also shared that San Francisco does not have dedicated inspectors specializing in child care facilities or schools. Although this research did not include interviews with fire departments across the entire state, the lack of specialized inspectors is not unique to San Francisco. This lack of specialization can lead to inconsistent understanding and application of fire codes for child care facilities among inspectors who may typically look at other building types. Fire inspectors are often stretched thin and have limited time to conduct inspections, which impacts the quality and thoroughness of inspections. She advocates for allowing sufficient time for inspections to improve both consistency and quality of inspections.

IV. Barriers to Expanding Family Child Care Home (FCC) License

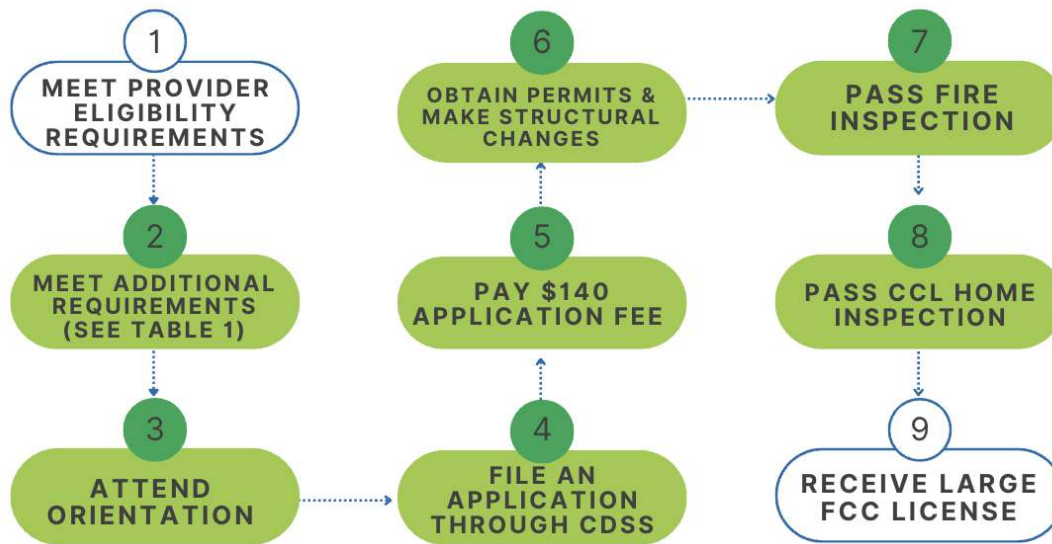
To increase capacity for child care provision, many small FCC providers in the state have sought to expand their license from a small FCC of no more than 8 children to a large FCC of up to 14 children. In order to expand a license from a small to a large FCC capacity, providers must file an application with CDSS, meet various eligibility requirements, and pass a fire inspection. Table 3 outlines the requirements for expanding a small FCC license to a large.

Table 3: Requirements for a Large FCC License (Expanding from a Small License)

Application & Fees	Provider Requirements	Home Inspections	Home Requirements	Additional Requirements
- Attend an orientation and pay a nonrefundable fee of \$25. - Submit the Application for Family Childcare Home License through CDSS, selecting “Capacity Change.” - Pay a \$140 nonrefundable application fee.	- Must have at least one year of experience as a licensed Small FCC Home provider. - Provide verification of previous licenses or a written statement from a previous employer. - When caring for more than 8 children at a time, an assistant of at least 14 years of age is required.	- Pass a fire inspection conducted by the local fire department or fire protection district and receive clearance from the OSFM. - Pass a home inspection from CCL. - If applicable, obtain permits approved and finalized by the City Building Department before making any structural changes.	- A home must be in a building with three detached sides and two separate exits to the street. - In a multi-story home, the FCC space must be on the first “usable” floor	- Provide proof of control of property. - All household members must pass a background check. - Receive a negative tuberculosis (TB) test. - Complete a mandatory 16 hours of Pediatric Health & Safety training.

A recurring theme across interviews with FCC providers is significant difficulty in expanding from a small to a large FCC license. Providers seek to serve more families and increase child care capacity by expanding their license, but the current process has become a significant burden rather than a pathway to expansion. Figure 8 details the licensing process for expanding from a small to a large FCC, revealing the multiple steps and regulatory checkpoints involved.

Figure 9: Process for Expanding License from a Small to a Large FCC in California



Providers that participated in this research consistently described the process of upgrading their license as confusing, inconsistent, costly, and time-consuming. In multiple cases, what should have been a straightforward administrative process extended into six-month to year-long ordeals. During this period, providers reported lost income due to enrollment caps, and in some cases, waitlisted families were unable to access care, contributing to broader state shortages of child care slots.

Key Barriers to Expanding from a Small to Large FCC

Financial strain: High costs of structural changes and renovations. Inspection fees and compliance-related costs.

Regulatory Confusion and Inconsistent Processes: Conflicting guidance between regulatory agencies. Misclassification of FCCs under center standards.

Long Processes and Delays: Licensing process taking between 6-12 months. Multiple inspections often needed.

Information Barriers: Complex, difficult to understand regulations fragmented across agency websites.

Language and Equity: ESL providers often face additional barriers in interpreting requirements and navigating the licensing process.

One couple who jointly operate a San Francisco-based FCC faced challenges in attempting to expand their FCC license from small to large. After having their construction plans and initial inspection approved, they were denied fire clearance in the final inspection and were required to make unexpected changes. As part of the fire safety compliance process, they were informed that they would be required to remove an additional bathroom and demolish an interior wall in their home to meet regulatory standards.

These modifications added unexpected expenses, including inspection fees and about \$4,000 in labor and materials. Officials from different agencies provided conflicting information about what was needed to be compliant, which made it difficult for the providers to navigate the process. It took three separate inspections to receive approval, leading to delays in service expansion. Despite the significant cost and disruption involved, these providers noted that no grant funding or financial assistance was offered to help cover the expenses associated with meeting these requirements.

Local fire officials also experience confusion when interpreting state-level codes, leading to inconsistent enforcement and unnecessary burden on providers. Providers noted that fire inspectors often classified FCC homes under standards meant for child care centers, which carry stricter fire safety requirements. These misclassifications have resulted in FCC providers being told to make extensive renovations to their homes, such as adding more square footage of space, installing expensive alarm systems, or meeting sprinkler requirements, even when these changes are not required under FCC regulations.

“My home was enforced as a daycare center by the fire department when it’s an FCC. The fire department thought my home was licensed under the same standards as day care and enforced the same codes. I was told I had to add 1,000 square feet to my house... this cost \$200,000–300,000.”

This misunderstanding and inconsistent application of code leads to conflicting messages from licensing and fire departments, creating confusion, delays, and uncertainty for providers. While Community Care Licensing may approve a home for a large FCC license, the fire department may block expansion based on an incorrect interpretation of applicable codes. For providers, navigating these contradictory messages, often without legal or technical support, is incredibly burdensome.

Additionally, providers expressed that the communications they receive from state agencies is complex, difficult to interpret, and fragmented across multiple websites and departments, making it even harder to know which regulations actually apply to their setting. This challenge is exacerbated for providers who speak English as a second language (ESL), compounding the inequities already present in this process.

V. Operational Disruption and Capacity Reduction

Many providers interviewed as a part of this research shared that waitlists to their programs were extremely long and that many families had been waiting for child care for months due to a shortage of available spaces. 63 percent of providers interviewed cited fire regulations as a

contributing factor to capacity reduction in their facilities. This included operational disruptions due to required upgrades or renovations, as well as slow processes and delays in the licensing process when attempting to expand. Interviews with FCC providers and center-based providers alike reported experiences of operational disruptions to their facility as a result of required structural changes, and one center-based provider described the experience of having to permanently halt the opening of an infant program.

A survey participant expresses concern about the potential for greater shortages as a result of the 2022 occupancy code update:

There is already a critical shortage of available infant care spots in our area. The new fire code enforcement will further exacerbate this issue as many facilities will be to reduce the number of infants they can care for, or worse, avoid offering infant care altogether. The added burden of meeting new fire code requirements compounds these challenges and puts the future of many small ECE facilities at risk. The inability to comply with these new regulations without significant financial investment may force us to close or drastically scale back our services. This would result in job losses and reduced access to affordable childcare.

One survey provider expressed that fire code regulations deterred the desire to expand their FCC license from small to large, as “expansion to large [FCC] license proved too difficult.”

Study findings make clear the lengths providers go to achieve fire safety in their facilities and also barriers to implementation that impact statewide child care supply.

VI. Provider Identified Solutions

Consistent with findings, when asked what changes would make it easier for child care providers to meet fire safety regulations, survey respondents identified financial assistance for compliance costs and clearer guidelines on fire safety requirements as being two of the top three greatest needs. Figure 9 indicates that the majority of providers recommend clearer guidelines and financial support to make it easier for them to meet compliance requirements.

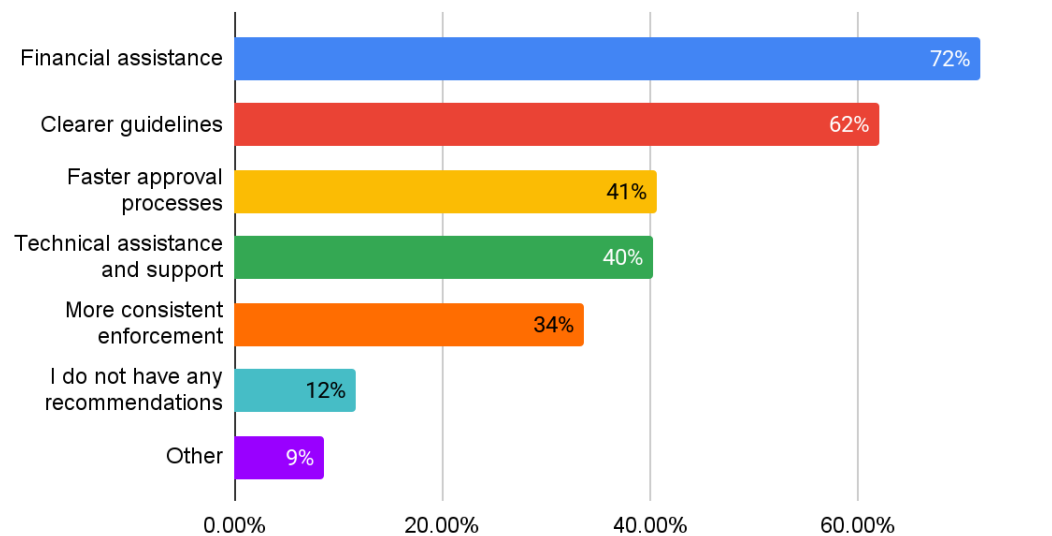
Survey respondents identified two major needs for improving compliance with fire safety regulations: 72 percent emphasized financial assistance and support for compliance costs, and 62 percent called for clearer guidelines and compliance information for facility providers. One provider that responded to the survey recommended: “Offering a childcare resources page, which consolidates all the fire codes and regulations that apply to childcare centers. Notify the field when there are proposed changes [to fire codes].”

Another respondent recommended, “Clear guidelines and financial support.” These recommendations highlight the provider identified need for clearer, more centralized guidance

about how to comply with fire code regulations, as well as improved communication from regulatory agencies. They also emphasize the dual need for accessible information and financial assistance to navigate licensing processes effectively.

Figure 10: Provider Identified Recommendations

If any, what changes would you recommend to make it easier for child care providers to meet fire safety regulations? - Selected Choice



4. Discussion

Findings suggest that fire compliance requirements can create significant challenges for providers seeking to expand child care programs. The administrative burdens placed on providers are unnecessarily high, such as navigating complex regulations, coordinating with multiple agencies and regulatory bodies, and managing unclear or conflicting requirements, all of which can delay facility openings and stall license expansions. Further, inconsistent interpretations of fire codes and compliance among local fire departments and between regulatory agencies contributes to uncertainty about regulations and discrepancies in enforcement.

Findings indicate that many providers face challenges in meeting fire code requirements that, in some cases, seemed either unnecessary or overly stringent. In some cases, fire officials insisted on conditions that, upon further investigation, were not actually required by state-level fire codes. This not only delays providers in their ability to expand their facility but also costs thousands of dollars in unnecessary expenses, contributing to the financial strain that many providers already face.

The lack of clear, standardized guidelines from fire officials and licensing agencies leads to delays and costly investments for providers, ultimately hurting their businesses and hindering their ability to expand and serve more children. These challenges are exacerbated for new providers or those whose primary language is not English, as they may struggle even more to understand and meet the regulatory requirements.

These regulatory barriers do not impact all providers equally. Home-based providers, who play a critical role in expanding access to affordable care, are disproportionately owned and operated by women of color. When compliance processes are fragmented, costly, and inconsistently enforced, the burdens fall hardest on these providers, further deepening existing inequities in California's early childhood system. Ensuring that regulatory reforms account for and address these disparities is essential to promoting a more inclusive, accessible, and equitable child care landscape statewide.

Not only are providers experiencing business loss and financial strain due to compliance requirements, but also significant operational disruptions, including permanent shutdowns and delayed openings. This contributes to displacement of children who rely on child care. When a child care program is forced to pause operations or permanently close at worst, families are left scrambling to find alternative care. This is directly exacerbating the ongoing shortage of available child care. Further, the financial strain and business loss that providers have experienced as being associated with fire safety compliance discourages providers from seeking to expand capacity. As regulatory burdens for providers continue without adequate support and

guidance, the state risks losing more providers and reducing the availability of child care, further straining a system already struggling to meet demand.

Over-regulation of child care providers and their facilities is creating barriers to ECE development in California and contributing to the child care shortages across the state. Whether it be introducing new, more restrictive codes that apply to centers or having lengthy and complex processes for FCC license expansion, these regulatory hurdles make it difficult for providers to expand their capacity or open new centers.

The challenges are directly reflected in provider identified solutions. Nearly half of providers also want faster, more flexible approval processes and technical assistance, indicating that the fire-safety related licensing process, not just requirements, is a major barrier to ECE development. Over 42 percent of English-speaking providers and 22 percent of Spanish-speaking providers who participated in the survey said they disagreed with the statement that they know where to go to find information regarding fire codes that apply to their facilities. This indicates a lack of accessible, centralized guidance for providers.

The experiences of California providers in obtaining fire clearance for their facility indicates the challenges of navigating the licensing and inspection process. Without clearer guidelines for providers and a more coordinated approach to inspection processes between regulatory agencies, such as CDSS and local fire jurisdictions, providers will continue to face unnecessary delays, costs, and stress in attempting to expand their license and increase their capacity to provide child care. Addressing these gaps and inconsistencies would not only improve provider experiences and reduce regulatory burdens but also ensure that safe, high-quality child care can be made available more efficiently.

5. Recommendations

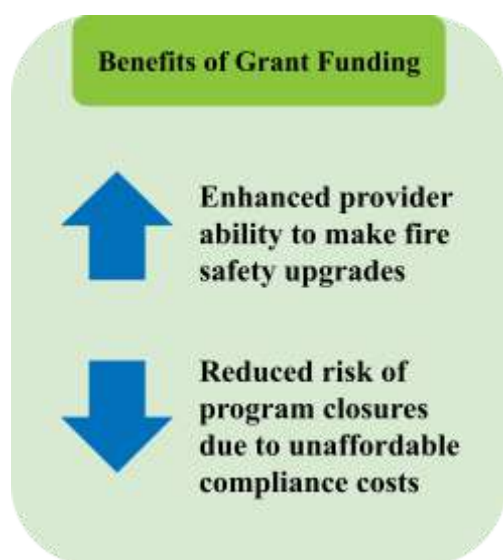
To reduce regulatory barriers for providers, enhance clarity of codes, ensure consistent interpretation and enforcement, and better align fire safety needs with child development best practices, this research offers the following recommendations:

Recommendations for State Agencies:

1. Provide state grant funding to assist facilities and home-based providers meet evolving fire code requirements.

An amount of \$50 - \$75 million in one-time grant funding at the state level should be dedicated specifically to support providers to make fire safety upgrades and cover immediate compliance cost needs. A fund of \$10 - \$30 million should be dedicated annually to provide ongoing assistance and support new providers or providers seeking to expand their license.

Many child care providers face significant financial barriers when required to install costly sprinkler systems, widen doorways, or make other structural changes to their facilities to comply with fire safety regulations. A state-administered grant program specifically aimed at funding fire safety upgrades would help providers offset these costs, enabling them to remain in compliance without jeopardizing the financial viability of their programs or financially burdening providers. Grants should be accessible to both new providers seeking licensure and existing providers working to expand or transition their services to serve different age groups.



Applicants would be required to have an existing license or be in the process of obtaining a license. Both center-based and FCC providers would be eligible for this grant. Grants are available to both new providers and existing providers attempting to expand their license or transition to serving different or additional age groups.

The provider(s) and/or facility must demonstrate that the upgrades are required to meet fire code compliance as determined by a local or state authority. This includes violations or requirements needed from an inspection from a fire jurisdiction or licensing agency.

Providers would submit an online application through a lead agency with details about their facility, the

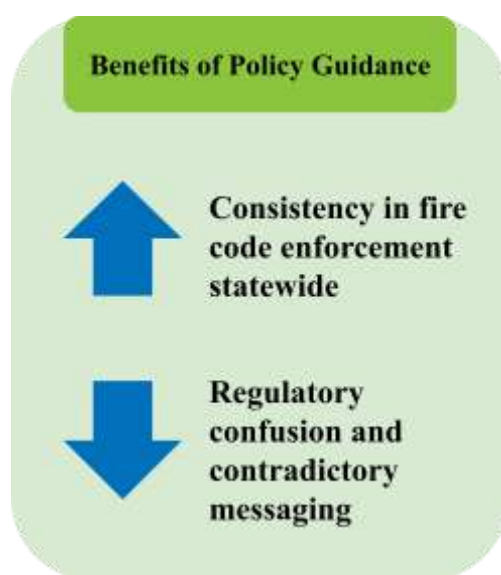
upgrades required to meet compliance, and estimated costs of upgrades. Required documentation for this application could include an inspection document. Successful applicants would be notified of being a recipient and receive an agreement that details the terms of the grant, including the sum of the grant, deadlines for completing upgrades, and any other conditions.

By establishing an independent fund for fire safety upgrades, this would ensure that fire safety compliance costs don't compete with other infrastructure or business sustainability needs and that there is focused support for providers struggling to meet compliance costs.

2. Develop policy guidance and offer training for fire departments and licensing offices statewide to standardize fire code interpretation.

This research recommends that the OSFM should develop policy interpretation support to promote consistent interpretation and application of fire safety regulations across fire departments and licensing offices statewide. This guidance should include case examples tailored to different facility types to clarify how regulations should be applied in different contexts.

As the central authority on fire safety regulations, the OSFM should lead training for local jurisdictions to ensure that the content is consistent with the state's fire codes and regulations. All fire officials should undergo an initial training within the first three months of employment, which would cover the fundamentals of fire codes as they apply to various types of child care settings (centers, small and large FCCs) and facility-specific examples of how codes apply. To ensure ongoing understanding of the codes as they pertain to child care, an annual refresher course should be mandatory for fire officials. Licensing agencies, such as CDSS and CCL, should also be involved in training efforts, specifically regarding how licensing staff should apply fire safety regulations when handling child care facility applications.



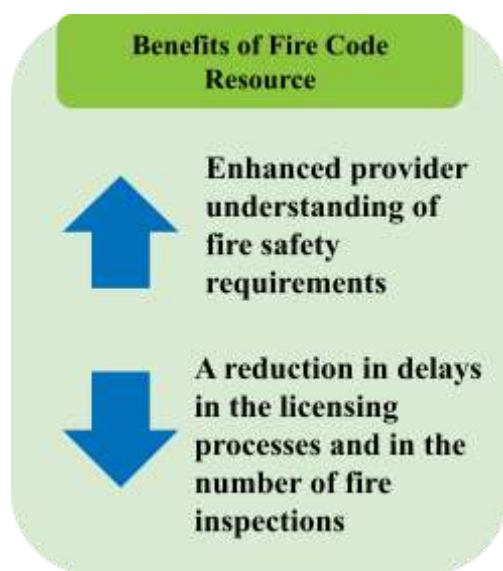
This research suggests that the OSFM also considers establishing and operating a statewide centralized technical assistance hotline, and a website to help resolve inconsistencies and ensure that providers receive accurate, consistent information from fire and licensing. The hotline would serve as a point of contact for fire officials, licensing staff, and child care providers to resolve any questions or inconsistencies in fire safety code interpretations. The website would include policy guidance of fire codes as they apply to various types of child care facilities, examples of how the codes apply, FAQs and answers, as well as details for a point of contact for further support.

Recommendation for Provider Support and Communication:

3. Publish an easy-to-understand, publicly accessible resource that clearly consolidates and outlines all fire code regulations for child care providers.

This research recommends that regulatory agencies create and publish an easy-to-understand, comprehensive, and publicly accessible online brochure or resource that clearly outlines all relevant fire code regulations for child care providers, available in multiple languages.

A user-friendly, visually clear guide, available online and in print, would help providers understand the key fire safety compliance requirements that apply to different types of child care facilities, from FCCs to centers and other facilities. The guide should be translated into the most commonly spoken languages in California, such as Spanish, Mandarin, Cantonese, and Tagalog, among others, and also offer simplified language and visuals where possible. The resource should also highlight common areas of confusion, provide checklists for common compliance scenarios, and direct providers to relevant local and state contacts for further support. This resource would be published on the CDSS website and would be formulated by both state fire agencies and the CDSS in collaboration.



This resource would reduce confusion for providers and streamline licensing processes by offering clear guidance on how to meet fire safety requirements. With greater access to digestible and accurate information, providers have the power to address compliance issues before fire inspections occur. This would lead to fewer compliance errors and would reduce the number of inspections necessary for fire officials. Greater access to information for providers would accelerate timelines for licensing, reducing the workload for fire officials and licensing agencies, benefitting both providers and relevant regulatory agencies.

Further, accelerated timelines in the licensing process are likely to mitigate child care shortages and increase overall capacity. When providers are able to expand or open more quickly, California families can access child care sooner. In a state where demand is greatly outpacing supply, efforts to reduce delays is an important step toward improving access to child care.

Recommendation for Local Fire Enforcement:

4. Designate specialized child care inspectors within local fire districts or jurisdictions.

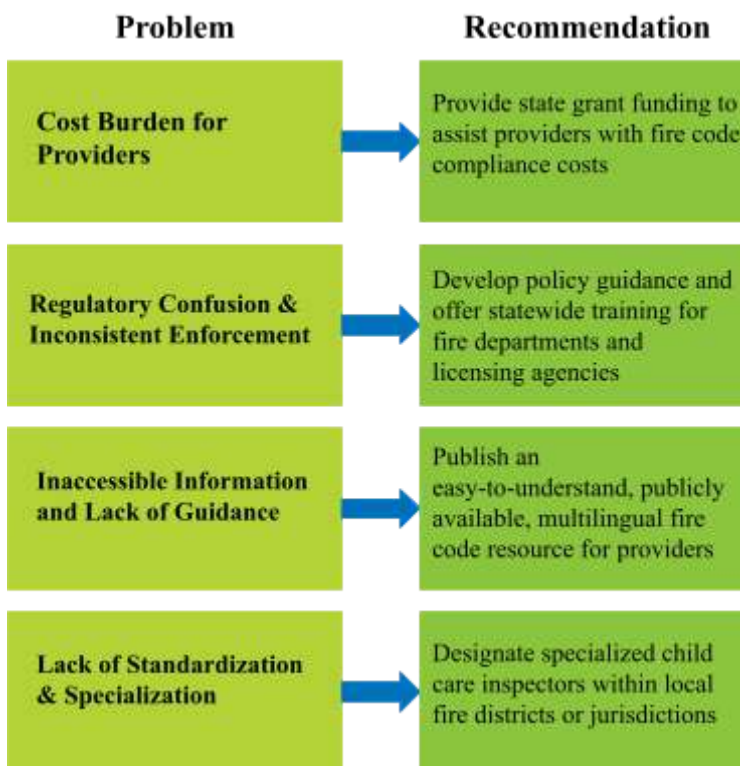
To ensure that local fire jurisdictions are well-informed about fire codes as they apply to child care settings and to ensure consistent enforcement of fire safety regulations, this research recommends that the state mandate that each jurisdiction designate at least one specialized child



care inspector. This inspector would be responsible for overseeing and conducting inspections for child care facilities. This inspector would undergo specialized training regarding fire regulations and how they apply to various settings of child care facilities, including differences between FCCs and centers. This inspector would also be responsible for providing guidance and information to providers, helping them to know what is expected from them in meeting fire safety compliance and navigate any facility upgrades deemed necessary. This inspector may also have other responsibilities within their district and conduct inspections for other building types, depending on the needs of the community the jurisdiction serves.

Figure 11: Problem-Recommendation Matrix

Figure 11 links each major barrier or challenge identified in this research to a specific and actionable recommendation designed to address it. Each barrier is directly matched with a policy solution and a proposed policy intervention.



6. Areas for Additional Research

1. Conduct a Statewide Assessment of Enforcement Practices Among Local Fire Departments

Further research could study local fire departments across the state in all community types and regions to examine differences in fire code interpretation, enforcement practices, and inspector training procedures related to child care facilities. This research could clarify the scale and variation of enforcement discrepancies and get to the root of the inconsistencies.

2. Quantify the Impact of Compliance Costs on Program Closures or Service Disruptions

While this research discusses costs associated with fire code compliance and offers insights into the lived experiences of several providers, additional research could quantify the impact of cost burden on the viability of programs and expansion efforts. Research analyzing if there is an association between fire compliance costs and program closures, service disruptions, or delayed or halted expansions could offer greater data-driven insights into the extent to which cost burden is impacting child care availability. Further, this research could observe whether providers are deterred from making efforts to expand their license due to high costs.

3. Conduct a Comparative Study of Impact of Fire Codes on FCCs vs. Centers

While this research briefly discussed the differences in fire safety requirements and experiences navigating fire codes between center-based providers and FCCs, a more in-depth, comparative analysis may be needed of how fire codes uniquely impact various types of child care settings. This research could help identify greatest barriers to fire code compliance for each child care setting type and prevent the misapplication of requirements. Further, this research could inform efforts to ensure that regulations are developed to better reflect the operational realities of each type of child care setting.

4. Evaluate the Impact of the Expansion of TK on Non-State Funded Programs

Many center-based programs described that children were moving on from their programs while the state is phasing in Universal TK to all four-year-olds. Research that focuses on the impact of this expansion on the enrollment of non-state funded programs may be needed to assess how the child care landscape is changing in the state as a result. This research could also focus on quantifying the impact of the expansion on the efforts of centers to transition to serve different age groups.

Conclusion

The state has the opportunity to address child care shortages, encourage workforce participation, and promote child development best practices across California by offering greater support to child care providers seeking to expand their capacity or transition to serve additional or different age groups. This research indicates that while fire safety is a shared goal that plays a critical part of ensuring the well-being of children, current implementation and enforcement of fire code related licensing requirements often impose financial strain and operational burdens for providers, particularly for small and home-based programs.

Fragmentation across and among agencies, unclear guidance, and enforcement discrepancies lead to delays in facility openings, license expansion, and reductions in child care capacity. These barriers disproportionately affect providers in low-income communities and BIPOC communities, where the need for child care is already greatest. Without meaningful change or support for providers, these structural barriers will continue to hinder provider expansion and prevent the state from meeting its child care accessibility goals.

By streamlining regulatory processes, offering financial support for compliance costs, and investing in consistent guidance for both providers and regulatory agencies, the state can reduce unnecessary burdens on providers while maintaining fire safety standards for children. In doing so, California can address child care shortages and support sustainable capacity building.

Above all, investing in solutions that honor providers' dedication to serving children strengthens the well-being of communities across the state. By removing unnecessary barriers and supporting their efforts to expand, California has the chance to not only meet urgent child care needs, but also to affirm the vital role these providers play in shaping a stronger, more equitable future for all children.

Appendix A: Overview of Fire Code Requirements, Compliance Costs, and Implementation Challenges

Fire Safety Requirements: Child Care Centers vs. Family Child Care Homes

Requirement	Child Care Centers	FCCs
Fire Clearance	Mandatory fire clearance approved by the local fire authority is required for all child care centers.	Small: Fire clearance is not required; compliance is verified by the Community Care Licensing Division. Large: Fire clearance inspection is required.
Fire Extinguishers	Must have appropriately rated fire extinguishers as specified by local fire codes.	Must have at least one 2A10BC-rated fire extinguisher, mounted between 3.5 and 5 feet above the floor, serviced annually.
Smoke Alarms	Required in all rooms used for child care.	Required in each sleeping area, hallways leading to bedrooms, and on every level of the home.
Carbon Monoxide Detectors	Required on each floor of the facility.	Required on every floor of the residence.
Manual Fire Alarm System	Must have a manual fire alarm system that is audible throughout the facility.	Large FCCs must have at least one manual fire alarm device that is audible throughout the facility at a minimum of 15 dB above ambient noise.
Exits	Must have a sufficient number of exits as determined by occupancy load and local building codes.	Large FCCs: Every story used for child care must have two exits that are remotely located from each other.
Fire Drills	Regular fire drills are required; frequency may vary based on local regulations.	Fire drills must be conducted at least once every six months, and records should be maintained.
Annual Inspections	Subject to annual fire	Annual fire inspections are not

	inspections by local fire authorities.	required for most FCCs.
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Regulatory Differences Between Small and Large FCCs

Small FCCs	Large FCCs
Capacity: Licensed to care for a group of up to 8 children. Staffing: No assistant is required. Fire inspection: Not required. Home Environment: Can operate in apartments, condos, or single-family homes. Experience: No age or experience requirement for staff beyond basic safety training and background checks.	Capacity: Licensed to care for up to 14 children. Staffing: Requires an assistant if serving 8 or more children. Fire inspection: Required. Home Environment: Must meet local building, fire, and zoning ordinances. Experience: Requires a minimum age of 14 and all caregivers must have at least one year of experience with a small FCC license.

Fire Safety Compliance Requirements Cost Tier Rankings

Dollar Signs	Estimated Cost Range	Interpretation
\$	\$0 - \$1,000	Low
\$ \$	\$1,001 - \$5,000	Moderate
\$ \$ \$	\$5,001 - \$15,000	Significant
\$ \$ \$ \$	\$15,001 - \$50,000	High
\$ \$ \$ \$ \$	\$50,001+	Extremely High

Fire Safety Compliance Requirements Implementation Tier Rankings

Wrench	Ease of Implementation	Interpretation
	Easy	Low effort necessary, mostly planning and operational considerations
	Moderate	Requires some planning or professional services
	Challenging	Requires structural changes, costly, or requires extensive coordination
	Difficult	Requires construction, site-wide retrofitting
	Extremely Difficult	Major construction or retrofitting requirements, significant regulatory hurdles, and/or near impossibility of proper structural changes

Appendix B: Occupancy Codes

Occupancy Codes as Applicable to Child Care Facilities

Occupancy Code	Description
305.2 Group E, day care facilities. ³⁶	This group includes buildings and structures or portions thereof occupied by more than <i>six</i> children 2 years of age <i>and older</i> who receive educational, supervision or personal care services for fewer than 24 hours per day. Exception: [SFM] A Day-care facility not otherwise classified as an R-3 occupancy, where occupants are not capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group I-4.
308.5 Institutional Group I-4, day care facilities. ³⁷	Institutional Group I-4 occupancy shall include buildings and structures occupied by more than <i>six clients</i> of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians; relatives by blood, marriage or adoption; and in a place other than the home of the <i>clients</i> cared for. This group shall include, but not be limited to, the following: • Adult day care • Child care
310.4 Residential Group R-3. ³⁸	Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, <i>R-2.1</i>, <i>R-2.2</i>, <i>R-3.1</i>, R-4 or I, including: • <i>Child-care</i> facilities that provide accommodations for six or fewer

³⁶ International Code Council, 2025.

³⁷ International Code Council, 2025.

³⁸ International Code Council, 2025.

	clients of any age for less than 24 hours. Licensing categories that may use this classification include, but are not limited to: ○ Day-Care Center for Mildly Ill Children, ○ Infant Care Center, ○ School Age Child Day-Care Center. ● Family Day-Care Homes that provide accommodations for 14 or fewer children, in the provider's own home for less than 24-hours. ● Adult care and <i>child-care</i> facilities that are within a single family home are permitted to comply with the <i>California Residential Code</i>.
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Appendix C: Interview Protocols

Interview Questions by Type

Center-Based Interviews	FCC Interviews	Fire Official Interviews
Licensing Questions - How do licensing requirements impact your ability to provide care? - How does meeting fire code regulations/complying with fire code impact your ability to provide care? - Have you experienced inconsistencies in how fire codes or licensing rules are enforced at the local level? Can you share an example? - Are you receiving consistent messaging and communication from state and local fire about changes in regulations? - Have licensing requirements ever affected your ability to transition between serving different age groups? New Fire Code 305.2Group E, child-care facilities Questions - How and when did you first become aware of Title 24, Section 305.2 and the change in occupancy codes? How was the information communicated to you/how did you hear about it? - Were you offered support in meeting compliance requirements? - How has this regulation	Licensing Questions - Have you experienced any challenges or difficulties when expanding your license from a small to large FCC? - Have you experienced any challenges in meeting fire safety standards? If so, what challenges did you face? - How do licensing requirements impact your ability to provide care? - Have you experienced inconsistencies in how fire codes or licensing rules are enforced at the local level? Can you share an example? Regulations and Codes - How does meeting fire code regulations/complying with fire code impact your ability to provide care? - Besides fire code regulations, what other state or local policies impact your ability to provide care? Have any policies helped or made things harder? - Where do you see contradictions between regulations (e.g., fire codes, licensing rules, best practices for child development, parent preferences)?	- What is the role of fire departments in child care facilities and licensing? - What kind of communication do you have with providers and/or child care facilities? - What is the relationship between fire departments and child care facilities? Between fire departments and child care licensing? - What does a facility fire inspection entail? What are inspectors looking for? - What are the primary fire safety risks associated with child care facilities and how do existing state and local fire codes seek to address these risks? - How are fire safety codes for child_care developed, implemented, and updated at the state and local levels? - How much discretion does local fire have in interpreting and enforcing fire safety laws/policies/codes? - Have you seen inconsistencies in how fire safety regulations are applied across different jurisdictions? If so, what do you think causes these inconsistencies?

impacted your work and your ability to provide care? (Examples: changes in space use, costs, enrollment limits, stress) - Have you incurred any additional costs in being compliant? If so, what has it cost? Regulations and Codes - Besides fire code regulations, what other state or local policies impact your ability to provide care? Have any policies helped or made things harder? - Where do you see contradictions between regulations (e.g., fire codes, licensing rules, best practices for child development, parent preferences)? Policy Recommendation Questions - Regarding licensing and fire code regulations, what do you think the state could do to better support childcare providers? - What would you change about how child care licensing is regulated or supported in California?	- How would you rate the level of support you have received from fire safety officials when trying to comply with fire codes? Policy Recommendation Questions - Regarding licensing and fire code regulations, what do you think the state could do to better support childcare providers? - What would you change about how child care licensing is regulated or supported in California? - If any, what changes would make fire safety regulations more practical for child care providers to implement in terms of time, effort, and cost?	- Does your department receive communication from CALFIRE about fire safety regulations? (Such as changes in code, enforcement requirements, etc.) Is this communication clear? Frequent? - What are the most common violations or non-compliance issues seen with child care facilities? - Have there been any recent changes in fire safety regulations that significantly impact childcare facilities? What prompted these changes? - What could improve communication and collaboration between fire officials, childcare providers, and policymakers? - What advice or thoughts might you have for child care providers about fire safety and compliance?
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Distribution of Coded Themes Across Provider Interviews³⁹

	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...
Fire Safety Compliance Issues									
Compliance Requirements	■	■		■	■	■	■		
Lack of Clarity	■	■				■	■		■
Inconsistent Information	■		■	■	■			■	■
Fire Inspections	■		■	■	■	■	■	■	
Policy Recommendations			■	■	■	■	■	■	■
Engage Providers in Development f			■						
Consistent Enforcement and Coord	■		■	■	■	■		■	■
Technical Assistance and Support				■	■				
Faster Approval Processes									
Clearer Guidelines and Information	■	■		■	■		■	■	■
Financial Assistance and Support	■	■	■						
Inter-Agency Coordination									
Fragmentation	■		■	■		■	■	■	■
Inconsistent Messaging	■		■		■	■		■	■
Lack of Communication	■	■	■	■	■	■	■	■	■
Impact on Providers									
Access to Information	■	■			■		■	■	■
Planning and Implementation		■		■	■		■	■	
Waitlists & Capacity Reductions	■		■	■	■	■			■
Business Loss			■			■			
Operational Disruption		■	■		■				
Cost Burden	■	■	■	■	■	■	■	■	■
Regulatory Challenges									
Code Changes	■		■			■			■
Slow Processes	■	■	■	■		■	■	■	
Inconsistent Enforcement	■		■	■	■		■	■	■
Regulatory Confusion			■	■	■		■	■	■

Code System Frequency

Code System	Memo	Frequency
Code System		291
Fire Safety Compliance Issues		52
Compliance Requirements		21
Lack of Clarity		10
Inconsistent Information		8
Fire Inspections		13
Policy Recommendations		20
Engage Providers in Development Processes		1
Consistent Enforcement and Coordination		7
Technical Assistance and Support		2
Faster Approval Processes		0
Clearer Guidelines and Information		7
Financial Assistance and Support		3
Inter-Agency Coordination		37
Fragmentation		11
Inconsistent Messaging		11
Lack of Communication		15
Impact on Providers		92
Access to Information		16
Planning and Implementation		13
Waitlists & Capacity Reductions		18
Business Loss		6
Operational Disruption		5
Cost Burden		34
Regulatory Challenges		64
Code Changes		6
Slow Processes		17
Inconsistent Enforcement		21
Regulatory Confusion		20

³⁹ **Note:** These figures indicate the code system and thematic categories developed through qualitative analysis of interviews with child care providers and ECE stakeholders. Codes were developed based on common themes identified in interviews.

Qualitative Interview Code Explanations

Code	Category	Explanation
Compliance Requirements	Fire Safety Compliance Issues	References to specific fire code rules or standards that providers must meet (e.g., sprinklers, exits).
Lack of Clarity	Fire Safety Compliance Issues	When providers express confusion or uncertainty about what the requirements mean or entail.
Inconsistent Information	Fire Safety Compliance Issues	Instances where providers receive conflicting guidance from different agencies or officials.
Fire Inspections	Fire Safety Compliance Issues	Descriptions of the inspection process, including timing, interactions with inspectors, or inspection outcomes.
Engage Providers in Development Processes	Policy Recommendations	Suggestions or advocacy for involving providers in shaping fire code and licensing policies that impact them.
Consistent Enforcement and Coordination	Policy Recommendations	Calls for better alignment between and among licensing and fire officials in interpreting and applying fire codes.
Technical Assistance and Support	Policy Recommendations	Mentions of the need for help navigating requirements (e.g., guidance, direct assistance).
Faster Approval Processes	Policy Recommendations	Feedback on delays and lengthy processes, with suggestions for expediting inspections or licensing.
Clearer Guidelines and Information	Policy Recommendations	Calls for more accessible, readable, centralized, or multilingual resources explaining fire safety rules.
Financial Assistance and Support	Policy Recommendations	Requests or suggestions for financial support to help cover costly upgrades or retrofits needed for compliance.
Fragmentation	Inter-Agency Coordination	Descriptions of disconnected systems among agencies.
Inconsistent Messaging	Inter-Agency Coordination	Reports of receiving different or contradictory instructions between or among regulatory agencies.
Lack of Communication	Inter-Agency Coordination	Absence of coordination or unclear lines of communication between oversight bodies.
Access to Information	Impact on Providers	Difficulty locating or understanding regulatory requirements or compliance steps.

Planning and Implementation	Impact on Providers	References to time spent coordinating renovations, permits, contractors, and approval processes for required structural changes.
Waitlists & Capacity Reductions	Impact on Providers	Providers referencing how compliance burdens prevented them from enrolling more children or expanding services.
Business Loss	Impact on Providers	Situations where providers report lost income or closures due to fire code burdens.
Operational Disruption	Impact on Providers	Fire code compliance interfering with day-to-day operations or ability to provide care
Cost Burden	Impact on Providers	Mentions of financial strain due to expensive requirements.
Code Changes	Regulatory Challenges	References to recent fire code updates, specifically the 2022 occupancy code change.
Slow Processes	Regulatory Challenges	Delays or lengthy timelines in inspections, licensing decisions, or approvals.
Inconsistent Enforcement	Regulatory Challenges	Examples of some officials enforcing rules more strictly or differently than others.
Regulatory Confusion	Regulatory Challenges	Contradictions or general confusion in how fire safety requirements are interpreted or applied.

Qualitative Interviews Code Matrix Browser⁴⁰

Code System	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...	Interv...
▼ Fire Safety Compliance Issues									
Compliance Requirements	■	■		■	■	■	■		
Lack of Clarity	■	■				■	■		■
Inconsistent Information	■		■	■	■			■	■
Fire Inspections	■		■	■	■	■	■	■	
▼ Policy Recommendations			■	■	■	■	■	■	■
Engage Providers in Development I			■						
Consistent Enforcement and Coord	■		■	■	■	■		■	■
Technical Assistance and Support				■	■				
Faster Approval Processes									
Clearer Guidelines and Information	■	■		■	■		■	■	■
Financial Assistance and Support	■	■	■						
▼ Inter-Agency Coordination									
Fragmentation	■		■	■		■	■	■	■
Inconsistent Messaging	■		■		■	■		■	■
Lack of Communication	■	■	■	■	■	■	■	■	■
▼ Impact on Providers									
Access to Information	■	■			■		■	■	■
Planning and Implementation		■		■	■		■	■	
Waitlists & Capacity Reductions	■		■	■	■	■			■
Business Loss			■			■			
Operational Disruption		■	■		■				
Cost Burden	■	■	■	■	■	■	■	■	■
▼ Regulatory Challenges									
Code Changes	■		■			■			■
Slow Processes	■	■	■	■		■	■	■	
Inconsistent Enforcement	■		■	■	■		■	■	■
Regulatory Confusion			■	■	■		■	■	■

⁴⁰ **Note:** The size of each box in the code matrix reflects the number of times that theme was referenced within an individual interview. Larger boxes indicate more frequent mentions of a specific code by that interviewee.

Appendix D: Survey

This survey was distributed online via email in English and Spanish from April 9, 2025 to April 23, 2025 and received 597 total responses.

Survey Questions

Q1: Which type of child care facility do you operate and/or work at? *(select all that apply)*

- ☐ Family Child Care Home Small (up to 8 children)
- ☐ Family Child Care Home Large (up to 14 children)
- ☐ Center-based Child Care
- ☐ Other (please specify)

Q2: What age group(s) do you primarily serve? *(select all that apply)*

- ☐ Infants (0-18 months old)
- ☐ Toddlers (2-3 years old)
- ☐ Preschool age (4-5 years old)
- ☐ Primary school age (5+ years old)

Q3: Please enter the zip code in which your facility is located. If you operate in more than one location, you may enter multiple zip codes, separated by commas. *[open-ended]*

Q4: How would you describe your experience in understanding and implementing licensing requirements related to fire safety?

- ☐ Extremely difficult
- ☐ Somewhat difficult
- ☐ Neither easy nor difficult
- ☐ Somewhat easy
- ☐ Extremely easy

Q5: Have fire code regulations or licensing requirements ever prevented or delayed you from:
(Select all that apply)

- ☐ Opening a new facility
- ☐ Expanding your existing license
- ☐ Transitioning to serving a different age group
- ☐ Maintaining your license
- ☐ Sustaining your business
- ☐ I have not experienced any delays due to fire code regulations and/or licensing requirements

Q6: In the past 12 months, have you had a fire inspection or interacted with a fire inspector or local fire department?

- ☐ No
- ☐ Yes

Q7: How would you rate the level of support you have received from fire safety officials when trying to comply with fire codes?

- ☐ Not at all supportive
- ☐ Slightly supportive
- ☐ Moderately support
- ☐ Supportive
- ☐ Extremely supportive

Q8: Have you encountered any challenges or difficulties in meeting fire code requirements?

- ☐ No
- ☐ Unsure
- ☐ Yes (please specify)

Q9: Which of the following fire-code related requirements have posed the greatest challenges for your facility? *(please select up to three)*

- ☐ Sprinkler system installation
- ☐ Fire and smoke alarm system requirements
- ☐ Emergency exit requirements (signage, number of exit doors, evacuation pathways, etc.)
- ☐ Fire extinguisher requirements
- ☐ Outdoor space, fire lane, and/or building access regulations
- ☐ Fire drills and evacuation procedures
- ☐ Crib egress requirements (such as door width and height)
- ☐ Provider to child ratio requirements
- ☐ Paperwork and record keeping
- ☐ Other (please specify)

Q10: Are you aware of any changes to state fire codes in the past two years that impact child care providers?

- ☐ No
- ☐ Yes
- ☐ Unsure

Q11: How did you hear about these changes? *(select all that apply)*

- ☐ Licensing agency communication (such as CDSS)
- ☐ Local fire department
- ☐ CalFIRE or the Office of the State Fire Marshal
- ☐ Other child care providers or from people in the child care industry
- ☐ News articles or online publications
- ☐ Other (please specify)

Q12: Have fire safety regulations, including recent changes, hindered your ability to expand your license or increase your capacity to provide child care?

- ☐ Yes, significantly
- ☐ Yes, somewhat
- ☐ Little impact
- ☐ No impact
- ☐ Unsure

Q13: Please indicate your degree of agreement with the following statement: I know where to go to find information about fire codes and fire safety regulations for child care providers.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neither agree nor disagree
- ☐ Agree
- ☐ Strongly agree

Q14: If any, what changes would make fire safety regulations more practical for child care providers to implement in terms of time, effort, and cost? *(select all that apply)*

- ☐ Clearer guidelines and information on fire safety requirements
- ☐ Financial assistance and support for compliance costs
- ☐ Technical assistance and support
- ☐ Faster approval processes and more flexible compliance deadlines
- ☐ More consistent enforcement and clearer communication from fire departments
- ☐ Other (please specify)

Q15: What actions could the state take to better support child care providers in meeting fire safety and licensing requirements? *[open-ended]*

Q16: Is there anything else you wish to share? *[open-ended]*

Comprehensive Survey Findings

Survey Results Dashboard	
Survey results in English may be accessed via this dashboard .	Survey results in Spanish may be accessed via this dashboard .

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