

## **Licensure Requirements for Child Care Facilities; SB 428**

**SB 428** amends licensure and inspection requirements for child care facilities and creates definitions for “drop-in program” and “school-age program.”

### ***Building Requirements***

The bill states no license for a drop-in program or school-age program shall be denied, suspended, or revoked on the basis that the building does not meet requirements for licensure if the building:

- Is a public recreation center or school and is used by school-age children and youth the same age as children and youth cared for in the drop-in program or school-age program;
- Complies, during all hours of operation of the drop-in program or school-age program, with the Kansas Fire Prevention Code (KFPC) or a building code that is by law deemed to comply with the KFPC; and
- Complies, during all hours of operation of the drop-in program or school-age program, with all local building code provisions that apply to recreation centers, if the building is a public recreation center, or schools, if the building is a school, except if the local building code provisions for a recreation building and the KFPC conflict or are otherwise inconsistent, then the KFPC standards shall control.

### ***Environmental Requirements***

The bill states no license for a drop-in program or school-age program operating in a public recreation center or school that is used by school-age children or youth the same age as the children or youth cared for in the drop-in program or school-age program shall be denied, suspended, or revoked based on an environmental deficiency if:

- The environmental deficiency does not pose an imminent risk to children and youth;
- The environmental deficiency is outside the applicant’s or licensee’s immediate authority to correct; and
- The applicant or licensee has notified the public recreation center or school of the environmental deficiency.

### ***Definitions***

The bill deletes the definition of “child care program” and inserts the definition of “drop-in program” to mean a child care facility that is not located in an individual’s residence that serves

exclusively school-age children and youth and where the operator permits children and youth to arrive and depart from the program at the child or youth's own volition at unscheduled times.

The bill defines "school-age program" to mean a child care facility that services exclusively school-age children and youth but does not include a drop-in program. The definition of "school" is amended to include grades 7 through 12 in addition to kindergarten and grades 1 through 6.

The definition of "recreation center" is amended to "public recreation center" and the maximum age of an individual allowed to be served by recreation programs is changed from 16 to 18.