

TO: Board of Health

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DATE: November 20, 2014

SUBJECT: Proposed changes to LMC 8.14 Child Care Programs to remove “School-age Child Care Program”

In 2012 the State of Nebraska revised their Child Care Program Regulations. As part of this change, school-age child care programs were removed from the child care center regulations and a new set of regulations were created specific for these programs.

Historically, LLCHD issued certificates of compliance to about 40 school-age child care programs because they were required to have a State child care “center” permit. School-age child care programs are no longer required to hold a “center” permit. There are significant differences and public health concerns in before and after care programs and child care centers. Child care centers have diapering, food service, highly susceptible population (infants and toddlers) and care for the children for an extended length of time. Before and after school programs care for older children (kindergarten and older), have limited food service (snacks) and are usually in facilities that have the same children attending during the day, such as schools, churches and recreation centers. During holidays or summer when full-day care is provided, food service is contracted for through licensed food establishments.

Staff recommends that LLCHD no longer issued certificates of compliance to school-age child care programs and do not conduct inspections of such facilities. This will allow LLCHD to focus our limited staff resources on child care centers where there is greater public health risk.

8.14.010 Definitions.

For the purpose of this chapter the following words shall have the following meanings:

Child care program shall mean the provision of services in lieu of parental supervision for thirteen or more children under thirteen years of age for compensation either directly or indirectly, on the average of less than twelve hours per day, but more than two hours per week, and shall include any child care center, ~~school-age child care program~~, or preschool licensed pursuant to *Neb. Rev. Stat.* § 71-1910, but shall not include casual care at irregular intervals, a recreation camp, any program provided by the City of Lincoln Parks and Recreation Department, classes or services provided by a religious organization other than child care or a preschool or nursery school, a preschool program conducted in a school approved pursuant to *Neb. Rev. Stat.* § 79-318, or foster care as defined in *Neb. Rev. Stat.* § 71-1901.

~~**School-age Child Care Program** shall mean a child care program which provides before or after school care for school aged children (kindergarten and older) and is licensed pursuant to *Neb. Rev. Stat.* § 71-1910. (Ord. 18834 §2; October 23, 2006; prior Ord. 15554 §1; May 14, 1990; P.C. §5.45.010; Ord. 13962 §1; September 17, 1984).~~

Staff recommends BOH approval of this proposed change.