

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 CONFERENCE COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL 1211

By: Griffin of the Senate

and

Cockroft, Munson, Henke and  
Roberts (Sean) of the House

8  
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to child care facilities; amending 10  
11 O.S. 2011, Section 404, as last amended by Section 2  
12 of Enrolled Senate Bill No. 1273 of the 2nd Session  
13 of the 55th Oklahoma Legislature, which relates to  
14 requirements and standards; directing certain  
15 consultation with Oklahoma Commission on Children and  
16 Youth; specifying inclusion and membership of certain  
17 subcommittees; requiring a majority of certain board  
18 consist of certain persons; directing consultation  
19 with certain state agencies; deleting provisions  
20 relating to functions and procedures of certain  
21 committee; and providing an effective date.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 10 O.S. 2011, Section 404, as last  
24 amended by Section 2 of Enrolled Senate Bill No. 1273 of the 2nd  
Session of the 55th Oklahoma Legislature, is amended to read as  
follows:

Section 404. A. 1. The Department of Human Services, in  
consultation with the Oklahoma Commission on Children and Youth,

1 shall appoint advisory committees of representatives of child care  
2 facilities and others to:

3 a. ~~prepare~~ recommend minimum requirements and desirable  
4 standards for promulgation by the Department, ~~and~~

5 b. ~~provide advice regarding concerns brought by child care~~  
6 ~~facilities or referred by the Department to assist facilities in~~  
7 ~~meeting minimum requirements.~~

8 2. Committee members shall be appointed for a three-year term,  
9 with a two-consecutive-term limit. ~~A majority of any committee~~  
10 ~~appointed to prepare requirements and standards for child care~~  
11 ~~facilities shall be representatives of child care facilities. The~~  
12 ~~committee shall include four committees with representation for all~~  
13 ~~categories of facilities licensed by the Department and shall be~~  
14 ~~comprised as follows:~~

15 a. the Residential Children's Services subcommittee shall  
16 include at a minimum:

17 (1) a representative of a statewide organization  
18 representing children in care arrangements  
19 outside their own home,

20 (2) a representative of a statewide organization  
21 providing residential services to youth in state  
22 custody,

23 (3) a recipient or former recipient of youth services  
24 for children in state custody,

- 1           (4) a representative of a statewide organization  
2           promoting adoption services,
- 3           (5) a parent or guardian providing foster care to a  
4           child or children in state custody,
- 5           (6) a representative from a nonpublic, long-term  
6           residential care facility for children in state  
7           custody,
- 8           (7) a representative from an organization promoting  
9           the interests of Native American children in  
10           state custody,
- 11           (8) a practicing pediatrician,
- 12           (9) a practicing behavioral health services provider,
- 13           (10) a representative from an agency providing child-  
14           placing services, and
- 15           (11) other appropriate representatives at the  
16           discretion of the Department of Human Services  
17           and Commission on Children and Youth,

18       b. the Child Care Centers subcommittee shall include at a  
19       minimum:

- 20           (1) a representative of a statewide organization  
21           advocating for children in care arrangements  
22           outside their own home,
- 23           (2) a representative of a statewide organization  
24           conducting programs for school-age children,

- 1           (3) a parent or guardian with a child attending a  
2           licensed child care facility,
- 3           (4) a representative of a licensed child care  
4           facility in a rural area,
- 5           (5) a representative of a statewide organization  
6           advocating for licensed child care facilities  
7           owned or operated by Native Americans,
- 8           (6) an representative of a licensed child care  
9           facility in a urban/suburban area,
- 10          (7) a representative of a statewide organization  
11          advocating for programs provided under the Head  
12          Start program,
- 13          (8) a representative with knowledge of child care  
14          programs offered by career technology center in  
15          this state,
- 16          (9) a representative of a statewide organization  
17          advocating for early childhood education  
18          programs,
- 19          (10) a representative of a statewide organization  
20          providing resources and referrals to child care  
21          facilities,
- 22          (11) a practicing pediatrician, and

1           (12) other appropriate representatives at the  
2           discretion of the Department of Human Services  
3           and Commission on Children and Youth.

4       c. the Child Care Homes subcommittee shall include at a  
5       minimum:

6           (1) a representative of a statewide organization  
7           advocating for children in care arrangements  
8           outside their own home,

9           (2) a parent or guardian with a child receiving care  
10          at a licensed child care home,

11          (4) a representative of a licensed child care home in  
12          a rural area,

13          (5) a representative of a statewide organization  
14          advocating for licensed child care facilities  
15          owned or operated by Native Americans,

16          (6) an representative of a licensed child care home  
17          in a urban/suburban area,

18          (7) a representative of a statewide organization  
19          advocating for early childhood education  
20          programs,

21          (8) a representative of a statewide organization  
22          providing resources and referrals to child care  
23          facilities,

24          (9) a practicing pediatrician, and

1                   (10) other appropriate representatives at the  
2                   discretion of the Department of Human Services  
3                   and Commission on Children and Youth, and

4           d.   The Quality Rating and Improvement System subcommittee  
5           shall include representatives of child care centers  
6           and child care homes currently licensed by the State  
7           and other members as determined by the Department of  
8           Human Services and the Commission on Children and  
9           Youth.

10           3.   The advisory committee shall create a Child Care Facility  
11 Peer Review Board whose purpose shall be to participate in the  
12 Department's grievance process. A majority of the Board shall be  
13 representatives of child care facilities. The Department shall  
14 promulgate rules specifying the duties of the Child Care Facility  
15 Peer Review Board in the grievance process.

16           B.   Child care facilities shall not allow children to be left  
17 alone in the care of any person under eighteen (18) years of age.  
18 Child care centers and family child care homes shall not:

19           1.   Use soft or loose bedding, including, but not limited to,  
20 blankets, in sleeping equipment or in sleeping areas used only for  
21 infants;

22           2.   Allow toys or educational devices in sleeping equipment or  
23 in a sleeping area used only for infants; or

1           3. Place a child in sleeping equipment or in a sleeping area  
2 which has not been previously approved for use as such by the  
3 Department.

4           C. The Department shall promulgate rules establishing minimum  
5 requirements and desirable standards as may be deemed necessary or  
6 advisable to carry out the provisions of the Oklahoma Child Care  
7 Facilities Licensing Act.

8           D. Such rules shall not be promulgated until after consultation  
9 with the State Department of Health, the State Department of  
10 Education, the Oklahoma State Bureau of Investigation, the State  
11 Fire Marshal, the Commission on Children and Youth, the Oklahoma  
12 Department of Mental Health and Substance Abuse Services and any  
13 other agency deemed necessary by the Department. Not less than  
14 sixty (60) days' notice, by regular mail, shall be given to all  
15 current licensees before any changes are made in such rules.

16           E. In order to improve the standards of child care, the  
17 Department shall advise and cooperate with licensees, the governing  
18 bodies and staff of licensed child care facilities and assist the  
19 staff through advice of progressive methods and procedures, and  
20 suggestions for the improvement of services.

21           F. The Department may participate in federal programs for child  
22 care services, and enter into agreements or plans on behalf of the  
23 state for that purpose, in accordance with federal laws and  
24 regulations.

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SECTION 2. This act shall become effective November 1, 2016.

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