

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 453

As Amended by Senate Committee on
Public Health and Welfare

Brief*

SB 453 amends one of the statutes in the act under which child care facilities are licensed and regulated to exempt certain facilities, programs, or services operated by the board of education of a school district. The facility, program, or service would not be subject to any regulation under the provisions of KSA 65-501 *et seq.*, if the board of education annually certified that the facility, program, or service:

- is supervised by a teacher and an administrator who hold certificates issued by the State Board of Education;
- conducts criminal background checks on all staff members;
- provides classroom space comparable to that utilized in other district programs;
- is offered at a site that is owned or leased by the school district and complies with fire and building codes;
- maintains required records;
- does not serve children under age three; and
- assists students to achieve academic performance at or above state standards.

A copy of the resolution would required to be sent to the Secretary of Health and Environment each year.

The bill also amends a statute that authorizes school districts to

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

operate child care facilities and makes any such facilities subject to the child care facility laws and regulations to exempt facilities, services, and programs that meet the requirements set out in Section 1 from being subject to the child care facility laws.

Background

As introduced, SB 453 was requested and supported by USD 253, Emporia. The bill was also supported by a representative of the Kansas Association of School Boards. Opposition to the bill was expressed by representatives of the YMCAs of Kansas, the Mid-America Metropolitan Council on Early Learning, and Partnership for Children.

The fiscal note on SB 453 indicates a precise fiscal estimate of the effect of the bill on State General Fund revenues collected as licensing fees is difficult to determine. If 50 percent of the existing licensed school age programs were exempt, a reduction in revenue could occur. There would be no fiscal effect on the State Department of Education.