

## SB 50 STAFF MEASURE SUMMARY

### Senate Committee On Human Services, Mental Health and Recovery

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**Prepared By:** C. Ross, Counsel

**Meeting Dates:** 3/4, 3/25, 3/30

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#### WHAT THE MEASURE DOES:

Requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry. Requires adoption of rules to establish minimum health and safety standards and collapses two duplicative statutory sections into one, applicable to recorded programs.

#### ISSUES DISCUSSED:

- Inconsistencies in child care system identified by Secretary of State audit in 2020; licensed programs versus recorded programs
- Impact of significant delay (waiting for completion of background checks) on the ability of large organizations in particular, such as YMCA and Boys and Girls Clubs, to stand-up emergency care and to return to full capacity in local communities
- Potential for such programs to engage volunteers or paid employees who are not eligible to enroll in the Central Background Registry
- Portability of individual's enrollment in Central Background Registry

#### EFFECT OF AMENDMENT:

*[-1 amendment dated 2/12/21]* Removes requirement to establish minimum health and safety standards for recorded programs via rulemaking.

*[-2 amendment dated 3/29/21]* Provides for recorded program personnel to continue working during transition, without being enrolled in the Central Background Registry (CBR) by January 2, 2022. Employees must have been employed before the deadline date, with an application to enroll pending by June 30, 2022, and no notice of intent to deny enrollment has issued. Similarly, volunteers must have started and had criminal background completed before the deadline date, with an application to enroll pending by June 30, 2022, and no notice of intent to deny enrollment issued. Explicitly authorizes OCC to process applications to enroll. Repeals the preceding provisions January 2, 2023. Sets operative date of January 2, 2022, and effective date 91st day following *sine die* adjournment.

#### BACKGROUND:

Recorded programs for children and associated personnel are distinguished from other participants in the early learning system and are currently regulated differently. Recorded programs for preschool children are defined as primarily educational, and delivered at a facility where children are only present up to four hours per day. Recorded programs for school-age children are defined as delivering developmental content outside of school hours and the purview of school districts. Program operators are currently required to perform criminal backgrounds checks for all program personnel, which they certify has been accomplished when a program is recorded with the Office of Child Care (OCC) at the Early Learning Division (ELD).

Senate Bill 50 requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry maintained by the OCC, the same as other personnel in the system of early learning who interact with children. The measure also requires adoption of rules to establish minimum health and safety standards applicable to recorded programs.