

Human Resources
Amend & Do Pass 3-16-89 (p 825)

reprinted

FILED FEB 13 1989

SENATE FILE 199
BY LLOYD-JONES

Passed Senate, Date 3-23-89 (p 998) Passed House, Date 4-18-89 (p 1681)
Vote: Ayes 43 Nays 0 Vote: Ayes 94 Nays 0
Approved Feb 20, 1990

A BILL FOR

3371-1 An Act relating to group day care home requirements.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 199

3371-1 Section 1. Section 237A.1, subsection 9, paragraph b, Code
2 1989, is amended to read as follows:
3 b. "Group day care home" means a facility providing child
4 day care for more than six but less than twelve children, with
5 no more than six children at one time ~~being-less-than-six~~
6 years-of-age who are not attending school on at least the
7 kindergarten level.

3286 8 Sec. 2. Section 237A.3, subsection 2, Code 1989, is
9 amended to read as follows:
10 2. A person shall not operate or establish a group day
11 care home unless the person obtains a certificate of
12 registration under this chapter. In order to be registered,
13 the group day care home shall have at least one responsible
14 individual, age fourteen or older, on duty to assist the group
15 day care home provider when there are more than six children
16 present for more than a two-hour period. However, more than
17 twelve children may be kept in a group day care home at one
18 time for a period of one hour or less if each additional child

3371-19 is attending school on at least the kindergarten level. All
20 other requirements of this chapter for registered family day
21 care homes and the rules adopted under this chapter for
22 registered family day care homes apply to group day care
23 homes. In addition, the department shall adopt rules relating
24 to the provision in group day care homes for a separate area
25 for sick children. In consultation with the state fire
26 marshal, the department shall adopt rules relating to the
27 provision of fire extinguishers, smoke detectors, and two
28 exits accessible to children.

29 EXPLANATION

30 This bill relates to group day care home requirements by
31 amending a limitation on children under a certain age to mean
32 children who are not in school. A restriction on the maximum
33 number of children who may be kept in a group day care home is
34 amended to permit additional children under certain
35 conditions.

SENATE FILE 199

S-3371

1 Amend Senate File 199 as follows:
2 1. Page 1, by striking lines 1 through 7 and
3 inserting the following:
4 "Sec. ____ . Section 237A.1, subsection 7,
5 unnumbered paragraph 1, Code 1989, is amended to read
6 as follows:
7 "Child day care" means the care, supervision, or
8 guidance of a child by a person other than the parent,
9 guardian, relative, or custodian for periods of ~~two~~
10 ~~hours-or-more-and~~ less than twenty-four hours per day
11 per child on a regular basis in a place other than the
12 child's home, but does not include:
13 Sec. ____ . Section 237A.1, subsection 9, Code 1989,
14 is amended to read as follows:
15 9. a. "Family day care home" means a facility
16 which provides child day care to less than seven
17 children at one time.
18 b. "Group day care home" means a facility
19 providing child day care for more than six but less
20 than twelve children at one time, with no more than
21 six children at one time being-less-than-six-years-of
22 age who are not attending school on at least the
23 kindergarten level."
24 2. Page 1, line 19, by inserting after the word
25 "level" the following: "and the staff-to-children
26 ratio is in accordance with rules adopted pursuant to
27 section 237A.12, subsection 1".
28 3. Title page, by striking line 1 and inserting
29 the following: "An Act relating to child day care by
30 amending certain definitions and certain requirements
31 for group day care homes."
32 4. By renumbering as necessary.

By MAGGIE TINSMAN CHARLES BRUNER
JEAN LLOYD-JONES JIM LIND
BEVERLY A. HANNON RAY TAYLOR

S-3371 FILED MARCH 21, 1989

Adopted 3-23-89 (p. 998)

SENATE FILE 199

S-3286

1 Amend Senate File 199 as follows:
2 1. Page 1, by striking lines 8 through 28.
By COMMITTEE ON HUMAN RESOURCES
BEVERLY A. HANNON, Chairperson

S-3286 FILED MARCH 16, 1989

Withdrawn 3-23-89 (p. 998)

1 Section 1. Section 237A.1, subsection 7, unnumbered
2 paragraph 1, Code 1989, is amended to read as follows:

3 "Child day care" means the care, supervision, or guidance
4 of a child by a person other than the parent, guardian,
5 relative, or custodian for periods of two-hours-or-more-and
6 less than twenty-four hours per day per child on a regular
7 basis in a place other than the child's home, but does not
8 include:

9 Sec. 2. Section 237A.1, subsection 9, Code 1989, is
10 amended to read as follows:

11 9. a. "Family day care home" means a facility which
12 provides child day care to less than seven children at one
13 time.

14 b. "Group day care home" means a facility providing child
15 day care for more than six but less than twelve children at
16 one time, with no more than six children at one time being
17 less-than-six-years-of-age who are not attending school on at
18 least the kindergarten level.

4034,3979 19 Sec. 3. Section 237A.3, subsection 2, Code 1989, is
20 amended to read as follows:

3877 21 2. A person shall not operate or establish a group day
22 care home unless the person obtains a certificate of
23 registration under this chapter. In order to be registered,
24 the group day care home shall have at least one responsible
25 individual, age fourteen or older, on duty to assist the group
26 day care home provider when there are more than six children
27 present for more than a two-hour period. However, more than
28 twelve children may be kept in a group day care home at one
29 time for a period of one hour or less if each additional child
30 is attending school on at least the kindergarten level and the
31 staff-to-children ratio is in accordance with rules adopted
32 pursuant to section 237A.12, subsection 1. All other
33 requirements of this chapter for registered family day care
34 homes and the rules adopted under this chapter for registered
35 family day care homes apply to group day care homes. In

1 addition, the department shall adopt rules relating to the
2 provision in group day care homes for a separate area for sick
3 children. In consultation with the state fire marshal, the
4 department shall adopt rules relating to the provision of fire
5 extinguishers, smoke detectors, and two exits accessible to
6 children.

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SENATE FILE 199

H-3999

1 Amend Senate File 199, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 1, by striking lines 19 and 20 and in-
4 serting the following:

5 "Sec. 3. Section 237A.3, subsections 1 and 2, Code
6 1989, are amended to read as follows:

7 1. A person who operates or establishes a family
8 day care home may apply to the department for
9 registration under this chapter. The department shall
10 issue a certificate of registration upon receipt of a
11 statement from the family day care home that the home
12 complies with rules adopted by the department. The
13 registration certificate shall be posted in a
14 conspicuous place in the family day care home, shall
15 state the name of the registrant, the number of
16 individuals who may be received for care at any one
17 time and the address of the home, and shall include a
18 check list of registration compliances. No greater
19 number of children than is authorized by the
20 certificate shall be kept in the family day care home
21 at any one time. A registered or unregistered family
22 day care home may provide care for a period of two
23 hours or less to more than six but less than twelve
24 children at one time if no more than six of the
25 children are not attending school on at least the
26 kindergarten level. The registration process may be
27 repeated on an annual basis. A facility which is not
28 a family day care home by reason of the definition of
29 child day care in section 237A.1, subsection 7, but
30 which provides care, supervision or guidance to a
31 child may be issued a certificate of registration
32 under this chapter."

33 2. Title page, line 2, by inserting after the
34 word "for" the following: "family and".

By HANSON of Delaware

H-3999 FILED APRIL 12, 1989

Adopted 4-18-89 (p. 108)

SENATE FILE 199

H-3877

3453
amended
all
1 Amend Senate File 199, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 27, by striking the words "more
4 than".
5 2. Page 1, line 28, by inserting after the word
6 "twelve" the following: "or more".

By COMMITTEE ON HUMAN RESOURCES
FEY of Scott, Chairperson

H-3877 FILED APRIL 6, 1989

SENATE FILE 199

H-3953

1 Amend the amendment, H-3877, to Senate File 199, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 3 through 6 and
5 inserting the following:
6 "____. Page 1, by striking lines 27 through 30 and
7 inserting the following: "present for more than a
8 two-hour period. However, a group day care home may
9 provide care to no more than sixteen children at one
10 time for a period of one hour or less if no more than
11 six of the children are not attending school on at
12 least the kindergarten level and the ".""

By TEAFORD of Black Hawk

H-3953 FILED APRIL 10, 1989

Adopted 4-12-89 (P1502)

HOUSE AMENDMENT TO
SENATE FILE 199

-3836

1 Amend Senate File 199, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 1, by striking lines 19 and 20 and in-
4 serting the following:

5 "Sec. 3. Section 237A.3, subsections 1 and 2, Code
6 1989, are amended to read as follows:

7 1. A person who operates or establishes a family
8 day care home may apply to the department for
9 registration under this chapter. The department shall
10 issue a certificate of registration upon receipt of a
11 statement from the family day care home that the home
12 complies with rules adopted by the department. The
13 registration certificate shall be posted in a
14 conspicuous place in the family day care home, shall
15 state the name of the registrant, the number of
16 individuals who may be received for care at any one
17 time and the address of the home, and shall include a
18 check list of registration compliances. No greater
19 number of children than is authorized by the
20 certificate shall be kept in the family day care home
21 at any one time. A registered or unregistered family
22 day care home may provide care for a period of two
23 hours or less to more than six but less than twelve
24 children at one time if no more than six of the
25 children are not attending school on at least the
26 kindergarten level. The registration process may be
27 repeated on an annual basis. A facility which is not
28 a family day care home by reason of the definition of
29 child day care in section 237A.1, subsection 7, but
30 which provides care, supervision or guidance to a
31 child may be issued a certificate of registration
32 under this chapter."

33 2. Page 1, by striking lines 27 through 30 and
34 inserting the following: "present for more than a
35 two-hour period. However, a group day care home may
36 provide care to no more than sixteen children at one
37 time for a period of one hour or less if no more than
38 six of the children are not attending school on at
39 least the kindergarten level and the".

40 3. Title page, line 2, by inserting after the
41 word "for" the following: "family and".

42 4. By renumbering, relettering, or redesignating
43 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3836 FILED APRIL 20, 1989

Senate Refused to Concur 4-25-89 (p. 1643)

*House Received 4-27-89 (p. 2072) - motion to Reconsider -
motion lost - House
insisted*

SENATE FILE 199

H-4034

1 Amend Senate File 199, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 19 and 20, and
4 inserting the following:
5 "Sec. 3. Section 237A.3, subsections 1 and 2, Code
6 1989, are amended to read as follows:

7 1. A person who operates or establishes a family
8 day care home ~~may~~ shall apply to the department for
9 registration under this chapter. The department shall
10 issue a certificate of registration upon receipt of a
11 statement from the family day care home that the home
12 complies with rules adopted by the department. The
13 registration certificate shall be posted in a
14 conspicuous place in the family day care home, shall
15 state the name of the registrant, the number of
16 individuals who may be received for care at any one
17 time and the address of the home, and shall include a
18 check list of registration compliances. No greater
19 number of children than is authorized by the
20 certificate shall be kept in the family day care home
21 at any one time. The registration process may be
22 repeated on an annual basis. A facility which is not
23 a family day care home by reason of the definition of
24 child day care in section 237A.1, subsection 7, but
25 which provides care, supervision or guidance to a
26 child may be issued a certificate of registration
27 under this chapter."

28 2. Title page, line 2, by inserting after the
29 word "for" the following: "family and".

By CORBETT of Linn

H-4034 FILED APRIL 14, 1989

Att. of Order 4-18-89 (p.1681)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 199

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members appointed to resolve the differences between the Senate and the House of Representatives on Senate File 199, a bill for An Act relating to child day care by amending certain definitions and certain requirements for group day care homes, respectfully make the following report:

1. That the House recedes from its amendment, S-3836.

2. That Senate File 199, as amended, passed, and reprinted by the Senate, is amended as follows:

1. By striking everything after the enacting clause and inserting the following:

"Section 1. Section 237A.1, subsection 7, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

"Child day care" means the care, supervision, or guidance of a child by a person other than the parent, guardian, relative, or custodian for periods of ~~two-hours-or-more-and~~ less than twenty-four hours per day per child on a regular basis in a place other than the child's home, but does not include care, supervision, or guidance of a child by any of the following:

Sec. 2. Section 237A.1, subsection 8, Code Supplement 1989, is amended to read as follows:

8. "Child care center" or "center" means a facility providing child day care for seven or more children, except when the facility is registered as a family day care home or group day care home.

Sec. 3. Section 237A.1, subsection 9, paragraph a, Code Supplement 1989, is amended to read as follows:

a. "Family day care home" means a facility person or program which provides child day care to less than seven

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Page 2

children at any one time or to less than twelve children at any one time as authorized by section 237A.3, subsection 1.

Sec. 4. Section 237A.2, unnumbered paragraph 4, Code 1989, is amended to read as follows:

A facility program which is not a child care center by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a license if the facility program complies with all the provisions of this chapter.

Sec. 5. Section 237A.3, subsection 1, Code 1989, is amended to read as follows:

1. A person who operates or establishes a family day care home may apply to the department for registration under this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules adopted by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. However, a registered or unregistered family day care home may provide care for more than six but less than twelve children at one time for a period of less than two hours, but shall not do so unless the home does not provide care at one time for more than six children who are not attending school full time on a regular basis. In determining the number of children cared for at one time in a registered or unregistered family day care home, if the person who operates or establishes the home is a child's parent, guardian, relative, or custodian and the child is not attending school full time on a regular basis, the child shall be considered to be receiving child day care from the person and shall be counted as one of the children cared for in the

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Page 3

home. The registration process may be repeated on an annual basis. A ~~facility~~ child day care provider or program which is not a family day care home by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a certificate of registration under this chapter."

2. Title page, line 2, by striking the word "group" and inserting the following: "family".

ON THE PART OF THE SENATE:

JEAN LLOYD-JONES, Chairperson
BEVERLY HANNON
JIM LIND
LARRY MURPHY
MAGGIE TINSMAN

ON THE PART OF THE HOUSE:

JANE TEAFORD, Chairperson
FLORENCE BUHR
DOROTHY F. CARPENTER
JOHNIE HAMMOND
ROBERT KISTLER

CCR-199.1 FILED JANUARY 18, 1990

*House accepted (1/19/90)**House accepted 2/2/90 (7/20/90)*

SENATE FILE 199

AN ACT

RELATING TO CHILD DAY CARE BY AMENDING CERTAIN DEFINITIONS
AND CERTAIN REQUIREMENTS FOR FAMILY DAY CARE HOMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 237A.1, subsection 7, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

"Child day care" means the care, supervision, or guidance of a child by a person other than the parent, guardian, relative, or custodian for periods of ~~two-hours-or-more~~ and less than twenty-four hours per day per child on a regular basis in a place other than the child's home, but does not include care, supervision, or guidance of a child by any of the following:

Sec. 2. Section 237A.1, subsection 8, Code Supplement 1989, is amended to read as follows:

8. "Child care center" or "center" means a facility providing child day care for seven or more children, except when the facility is registered as a family day care home or group day care home.

Sec. 3. Section 237A.1, subsection 9, paragraph a, Code Supplement 1989, is amended to read as follows:

a. "Family day care home" means a facility person or program which provides child day care to less than seven children at any one time or to less than twelve children at any one time as authorized by section 237A.3, subsection 1.

Sec. 4. Section 237A.2, unnumbered paragraph 4, Code 1989, is amended to read as follows:

A facility program which is not a child care center by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a license if the facility program complies with all the provisions of this chapter.

Sec. 5. Section 237A.3, subsection 1, Code 1989, is amended to read as follows:

1. A person who operates or establishes a family day care home may apply to the department for registration under this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules adopted by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. However, a registered or unregistered family day care home may provide care for more than six but less than twelve children at any one time for a period of less than two hours, but shall not do so unless the home does not provide care at any one time for more than six children who are not attending school full time on a regular basis. In determining the number of children cared for at any one time in a registered or unregistered family day care home, if the person who operates or establishes the home is a child's parent, guardian, relative, or custodian and the child is not attending school full time on a regular basis, the child shall be considered to be receiving child day care from the person and shall be counted as one of the children cared for in the home. The registration process may be repeated on an annual

basis. A facility child day care provider or program which is not a family day care home by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a certificate of registration under this chapter.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 199, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved _____, 1990

TERRY E. BRANSTAD
Governor