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SENATE FILE 369
BY LIND and REHBERG

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to child day care provision involving registered
2 group day care homes.

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

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S.F. 369

1 Section 1. Section 237A.i, subsection 8, paragraph b, Code
2 1997, 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 as
5 authorized in accordance with section 237A.3, subsection 2, or
6 for less than sixteen children at any one time as authorized
7 in accordance with section 237A.3, subsection 3; provided each
8 child-in-excess-of-six-children-is-attending-school-in
9 kindergarten-or-a-higher-grade-level.

10 Sec. 2. Section 237A.3, subsection 2, Code 1997, is
11 amended to read as follows:

12 2. a. A person shall not operate or establish a group day
13 care home unless the person obtains a certificate of
14 registration under this chapter. ~~in order to be registered,~~
15 ~~the group day care home shall have at least one responsible~~
16 ~~individual, age fourteen or older, on duty to assist the group~~
17 ~~day care home provider when there are more than six children~~
18 ~~present for more than a two-hour period. Two persons who~~
19 comply with the individual requirements for registration as a
20 group day care provider may request that the certificate be
21 issued to the two persons jointly and the department shall
22 issue the joint certificate provided the group day care home
23 requirements for registration are met. All other requirements
24 of this chapter for registered family day care homes and the
25 rules adopted under this chapter for registered family day
26 care homes apply to group day care homes. In addition, the
27 department shall adopt rules relating to the provision in
28 group day care homes for a separate area for sick children.
29 In consultation with the state fire marshal, the department
30 shall adopt rules relating to the provision of fire
31 extinguishers, smoke detectors, and two exits accessible to
32 children.

33 b. Except as provided in subsection 3, a group day care
34 home shall not provide child day care to more than eleven
35 children at any one time. If there are more than six children

1 present for a period of two hours or more, the group day care
2 home must have at least one responsible individual present to
3 assist the group day care provider in accordance with either
4 of the following conditions:

5 (1) If the responsible individual is the joint holder of
6 the certificate of registration, not more than six of the
7 children present shall be two years of age or younger and not
8 more than ten of the children present shall be more than two
9 years of age but not attending school in kindergarten or a
10 higher grade level.

11 (2) If the responsible individual is at least fourteen
12 years of age, not more than four of the children shall be two
13 years of age or younger and each child in excess of six
14 children shall be attending school in kindergarten or a higher
15 grade level.

16 EXPLANATION

17 This bill relates to registered group day care homes.

18 The definition of "group day care home" in Code section
19 237A.1 is amended to strike a requirement that if more than
20 six children are present in the home, those additional
21 children must be attending school in kindergarten or a higher
22 grade level. The stricken requirement is modified and
23 reinserted in the regulatory provisions for group child care
24 in Code section 237A.3.

25 The Code section 237A.3 amendment affects group day care
26 homes in two ways. The first allows two persons who meet
27 group day care home registration requirements to be issued a
28 joint registration certificate. The second is directed to
29 requirements when there are more than six children present for
30 a period of two hours or more. In this situation, the
31 amendment sets the ages of children cared for in a group day
32 care home based upon the registration status of the
33 responsible individual assisting the care provider. If the
34 assistant is the joint holder of the certificate of
35 registration, the home may care for not more than six children

1 who are age two or less and not more than 10 children who are
2 more than two years of age but not attending school at the
3 kindergarten or a higher grade level. If the assistant is at
4 least 14 years of age, a limitation of not more than four
5 children age two or less applies, plus the requirement in
6 current law that if more than six children are present, the
7 additional children must be attending school at the
8 kindergarten or a higher grade level.

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