

279.49 Child care programs.

1. For the purposes of [this section](#) unless the context otherwise requires, “*child care program*” means child care that is not licensed or approved by the department of human services under [chapter 237A](#) except as provided under [this section](#).

2. The board of directors of a school corporation may operate or contract for the operation of a program to provide child care to children not enrolled in school or to students enrolled in kindergarten through grade six before and after school, or to both. Programs operated or contracted by a board shall either meet standards for child care programs adopted by the state board of education or shall be licensed by the department of human services under [chapter 237A](#) as a child care center. A program operated by a board under contract which is not located on property owned or leased by the board must be licensed by the department of human services.

3. The person employed to be responsible for a program operated or contracted by a board that is not licensed by the department of human services shall be an appropriately licensed teacher under [chapter 272](#) or shall meet other standards adopted by the state board of education.

4. The facilities housing a program operated under [this section](#) shall comply with standards adopted by the state fire marshal for school buildings under [chapter 100](#). In addition, if a program involves children who are younger than school age, the facilities housing those children shall meet the fire safety standards which would apply to that age of child in a child care facility licensed by the department of human services.

5. The board may establish a fee for the cost of participation in a child care program authorized under [this section](#). The fee shall be established pursuant to a sliding fee schedule based upon staffing costs and other expenses and a family’s ability to pay. If a fee is established, the parent or guardian of a child participating in a program shall be responsible for payment of any agreed upon fee. The board may require the parent or guardian to furnish transportation of the child.

6. The board may utilize or make application for program subsidies from any existing child care funding streams.

7. The components of programs established under [this section](#) for child care shall include, but are not limited to, parental involvement in program design and direction, activities designed to further children’s physical, mental, and emotional development, and a parental education component to educate parents about the physical, mental, and emotional development of children.

[85 Acts, ch 173, §26; 89 Acts, ch 206, §10; 89 Acts, ch 265, §40; 92 Acts, ch 1212, §27; 94 Acts, ch 1175, §8; 99 Acts, ch 192, §33](#)