

Senate Study Bill 3154 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON QUIRMBACH)

A BILL FOR

1 An Act relating to standards and licensure for certain
2 children's centers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237B.1, subsection 3, Code 2016, is
2 amended to read as follows:

3 3. In establishing the initial and subsequent standards,
4 the department of human services shall review other
5 certification and licensing standards applicable to the
6 centers. The standards established by the department shall
7 be broad facility standards for the protection of children's
8 safety. The department shall also apply criminal and abuse
9 registry background check requirements for the persons who own,
10 operate, staff, participate in, or otherwise have contact with
11 the children receiving services from a children's center. The
12 background check requirements shall be substantially equivalent
13 to those applied under [chapter 237](#) for a child foster care
14 facility provider. ~~The~~ Except as provided in section 237B.2,
15 the department of human services shall not establish program
16 standards or other requirements under [this section](#) involving
17 program development or oversight of the programs provided to
18 the children served by children's centers.

19 Sec. 2. NEW SECTION. **237B.2 School, academy, or training**
20 **institute.**

21 1. A children's center that includes in the official
22 name of the center the word "school", "academy", or the term
23 "training institute" or a similar word or term and charges for
24 the educational services the center provides to children who
25 are under the age of eighteen; operates a facility for housing,
26 boarding, or providing residential services for children under
27 the age of eighteen; or provides counseling, behavioral, or
28 therapeutic services to children under the age of eighteen,
29 shall respectively meet the following applicable requirements:

30 a. (1) Include in any promotional, advertising, and
31 marketing materials regarding the center available in print,
32 broadcast, or via the internet or by any other means the
33 following information:

34 (a) Whether the center meets the accreditation requirements
35 of section 256.11 and all other accreditation standards adopted

1 by rule by the state board of education.

2 (b) The fee the center charges for each of the services
3 the center offers or provides to children under the age of
4 eighteen.

5 (2) Submit annually to the department of education a true
6 statement of the center's financial condition and the refund
7 policy of the center.

8 b. Be licensed as a child foster care facility under chapter
9 237. Notwithstanding section 237.7, the administrator, as
10 defined in section 237.1, shall cause unannounced inspections
11 of the center to be conducted at least quarterly by the
12 department of inspections and appeals.

13 c. Be licensed under chapter 235 or under this chapter
14 by the department of human services to provide child welfare
15 services such as behavioral, counseling, or therapeutic
16 services to children in the center.

17 2. The state board of education, the department of
18 inspections and appeals, and the department of human services
19 may each adopt rules relating to its responsibilities to
20 administer this section, to establish appropriate professional
21 standards for centers and for the persons who provide
22 instructional, residential, and health-related services
23 to children residing at centers, and to establish monetary
24 penalties for violations of this section and a procedure for
25 the collection of the penalties.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill provides for the licensure and regulation of
30 certain children's centers.

31 Currently, Code section 237B.1 allows the department of
32 human services to establish broad facility standards for
33 the protection of children's safety for children served
34 by children's centers, but prohibits the department from
35 establishing program development or oversight standards.

1 Children's centers are defined as a privately funded facility
2 designed to serve seven or more children at any one time who
3 are not under the custody or authority of the department of
4 human services, juvenile court, or another governmental agency,
5 and that offers child care, respite care, family support
6 services, medical equipment therapeutic day programming,
7 educational enrichment, or housing.

8 As an exception to that prohibition on establishing specific
9 program standards, the bill provides that a children's center,
10 which includes in the official name of the center the word
11 "school", "academy", or the term "training institute" or a
12 similar word or term and charges for the educational services
13 the center provides to children who are under the age of
14 18; operates a facility for housing, boarding, or providing
15 residential services for children under the age of 18; or
16 provides counseling, behavioral, or therapeutic services to
17 children under the age of 18, must respectively meet the
18 following applicable requirements:

19 1. Include in any promotional, advertising, and marketing
20 materials regarding the center available in print, broadcast,
21 or via the internet information regarding whether it meets the
22 state's educational accreditation standards and the fees it
23 charges for its services; and submit annually to the department
24 of education a true statement of the center's financial
25 condition and the refund policy of the center.

26 2. Be licensed as a child foster care facility and subject to
27 unannounced inspections by the department of inspections and
28 appeals at least quarterly.

29 3. Be licensed by the department of human services to provide
30 child welfare services such as behavioral, counseling, or
31 therapeutic services to children in the center.

32 The state board of education, the department of inspections
33 and appeals, and the department of human services may each
34 adopt rules relating to its responsibilities to administer the
35 Code section, to establish appropriate professional standards

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2 residential, and health-related services to children residing
3 at centers, and to establish monetary penalties for violations
4 of the Code section and a procedure for collection of the
5 penalties.