

SCHOOL AGE PROGRAMS: DEEMED STATUS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5110

Sponsor: Rep. Jerry Kooiman

Committee: Family and Children Services

Complete to 9-19-05

A SUMMARY OF HOUSE BILL 5110 AS INTRODUCED 8-31-05

The bill would amend the child care licensing act in the following ways.

****** It would specifically include "before-school and after-school programs" within the definition of "child care center or "day care center."

****** It would specify, however, that the terms "child care center" or "day care center" would not apply to 1) a program that primarily provides supervised, school-age child-focused training in a specific subject, such as dancing, drama, music, or religion; or 2) a program that provides group athletic or social activities for school-age children sponsored by or under the supervision of an organized club or hobby group, such as youth clubs, scouting, and recreational or supplementary education programs. The term "school age" refers to a child old enough to be entered in kindergarten but less than 13 years of age. The exclusion applies only during the time the child is engaged in the training or the group athletic or social activities (and, in the case of the athletic and social activities only, if the child can come and go as he or she pleases).

****** It would create a procedure for a currently operating facility or program for school age children to apply to the Department of Human Services for "deemed status." To be eligible, a facility or program would have to have been in operation and licensed for at least two years before the application date without any substantial violations. The school board, board of directors, or governing body would have to adopt a resolution supporting the application for deemed status.

****** A facility or program granted deemed status would have to maintain status as a licensed or approved program and continue to meet requirements of the act, rules promulgated under the act, or the terms of a license or approval. Such a facility or program would be subject to special investigation by the Department of Human Services when a rule or act violation was alleged. Deemed status could be rescinded by the department if substantial violations are substantiated.

****** A facility or program granted deemed status would not be subject to interim or annual licensing reviews. It would be required to submit documentation annually demonstrating compliance with the act, rules, or terms of licensure or approval.

** Existing provisions dealing with facilities and programs for school-age children operated at a public school or a by a person or entity with which the school had contracted would be deleted from the act, including a process that would allow such programs to apply for an exemption from the act.

MCL 722.111

Legislative Analyst: E. Best

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.