

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 691

By: Standridge

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Child Care Facilities
8 Licensing Act; amending 10 O.S. 2011, Section 404, as
9 last amended by Section 1, Chapter 377, O.S.L. 2016
10 (10 O.S. Supp. 2016, Section 404), which relates to
11 minimum standards; permitting certain training to be
12 conducted online; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 10 O.S. 2011, Section 404, as last
15 amended by Section 1, Chapter 377, O.S.L. 2016 (10 O.S. Supp. 2016,
16 Section 404), is amended to read as follows:

17 Section 404. A. 1. The Department of Human Services, in
18 consultation with the Oklahoma Commission on Children and Youth,
19 shall appoint advisory committees of representatives of child care
20 facilities and others to recommend minimum requirements and
21 desirable standards for promulgation by the Department.

22 2. Committee members shall be appointed for a three-year term,
23 with a two-consecutive-term limit. The committee shall include four
24 committees with representation for all categories of facilities
licensed by the Department and shall be comprised as follows:

1 a. the Residential Children's Services subcommittee shall
2 include at a minimum:

3 (1) a representative of a statewide organization
4 representing children in care arrangements
5 outside their own home,

6 (2) a representative of a statewide organization
7 providing residential services to youth in state
8 custody,

9 (3) a recipient or former recipient of youth services
10 for children in state custody,

11 (4) a representative of a statewide organization
12 promoting adoption services,

13 (5) a parent or guardian providing foster care to a
14 child or children in state custody,

15 (6) a representative from a nonpublic, long-term
16 residential care facility for children in state
17 custody,

18 (7) a representative from an organization promoting
19 the interests of Native American children in
20 state custody,

21 (8) a practicing pediatrician,

22 (9) a practicing behavioral health services provider,

23 (10) a representative from an agency providing child-
24 placing services, and

1 (11) other appropriate representatives at the
2 discretion of the Department of Human Services
3 and Commission on Children and Youth,

4 b. the Child Care Centers subcommittee shall include at a
5 minimum:

6 (1) a representative of a statewide organization
7 advocating for children in care arrangements
8 outside their own home,

9 (2) a representative of a statewide organization
10 conducting programs for school-age children,

11 (3) a parent or guardian with a child attending a
12 licensed child care facility,

13 (4) a representative of a licensed child care
14 facility in a rural area,

15 (5) a representative of a statewide organization
16 advocating for licensed child care facilities
17 owned or operated by Native Americans,

18 (6) a representative of a licensed child care
19 facility in an urban/suburban area,

20 (7) a representative of a statewide organization
21 advocating for programs provided under the Head
22 Start program,

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1 (8) a representative with knowledge of child care
2 programs offered by career technology center in
3 this state,

4 (9) a representative of a statewide organization
5 advocating for early childhood education
6 programs,

7 (10) a representative of a statewide organization
8 providing resources and referrals to child care
9 facilities,

10 (11) a practicing pediatrician, and

11 (12) other appropriate representatives at the
12 discretion of the Department of Human Services
13 and Commission on Children and Youth,

14 c. the Child Care Homes subcommittee shall include at a
15 minimum:

16 (1) a representative of a statewide organization
17 advocating for children in care arrangements
18 outside their own home,

19 (2) a parent or guardian with a child receiving care
20 at a licensed child care home,

21 (4) a representative of a licensed child care home in
22 a rural area,
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- 1 (5) a representative of a statewide organization
- 2 advocating for licensed child care facilities
- 3 owned or operated by Native Americans,
- 4 (6) a representative of a licensed child care home in
- 5 an urban/suburban area,
- 6 (7) a representative of a statewide organization
- 7 advocating for early childhood education
- 8 programs,
- 9 (8) a representative of a statewide organization
- 10 providing resources and referrals to child care
- 11 facilities,
- 12 (9) a practicing pediatrician, and
- 13 (10) other appropriate representatives at the
- 14 discretion of the Department of Human Services
- 15 and Commission on Children and Youth, and

16 d. The Quality Rating and Improvement System subcommittee
17 shall include representatives of child care centers
18 and child care homes currently licensed by the State
19 and other members as determined by the Department of
20 Human Services and the Commission on Children and
21 Youth.

22 3. The advisory committee shall create a Child Care Facility
23 Peer Review Board whose purpose shall be to participate in the
24 Department's grievance process. A majority of the Board shall be

1 representatives of child care facilities. The Department shall
2 promulgate rules specifying the duties of the Child Care Facility
3 Peer Review Board in the grievance process.

4 B. Child care facilities shall not allow children to be left
5 alone in the care of any person under eighteen (18) years of age.

6 Child care centers and family child care homes shall not:

7 1. Use soft or loose bedding, including, but not limited to,
8 blankets, in sleeping equipment or in sleeping areas used only for
9 infants;

10 2. Allow toys or educational devices in sleeping equipment or
11 in a sleeping area used only for infants; or

12 3. Place a child in sleeping equipment or in a sleeping area
13 which has not been previously approved for use as such by the
14 Department.

15 C. The Department shall promulgate rules establishing minimum
16 requirements and desirable standards as may be deemed necessary or
17 advisable to carry out the provisions of the Oklahoma Child Care
18 Facilities Licensing Act.

19 D. Such rules shall not be promulgated until after consultation
20 with the State Department of Health, the State Department of
21 Education, the Oklahoma State Bureau of Investigation, the State
22 Fire Marshal, the Commission on Children and Youth, the Oklahoma
23 Department of Mental Health and Substance Abuse Services and any
24 other agency deemed necessary by the Department. Not less than

1 sixty (60) days' notice, by regular mail, shall be given to all
2 current licensees before any changes are made in such rules.

3 E. In order to improve the standards of child care, the
4 Department shall advise and cooperate with licensees, the governing
5 bodies and staff of licensed child care facilities and assist the
6 staff through advice of progressive methods and procedures, and
7 suggestions for the improvement of services. The Department may
8 permit continuing education or other training by an owner, operator
9 or employee of a child care facility to be conducted online or
10 through other electronic means of communication.

11 F. The Department may participate in federal programs for child
12 care services, and enter into agreements or plans on behalf of the
13 state for that purpose, in accordance with federal laws and
14 regulations.

15 SECTION 2. This act shall become effective November 1, 2017.

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