

**SUBSTITUTE FOR  
HOUSE BILL NO. 5976**

A bill to amend 1973 PA 116, entitled  
"An act to provide for the protection of children through the  
licensing and regulation of child care organizations; to provide  
for the establishment of standards of care for child care  
organizations; to prescribe powers and duties of certain  
departments of this state and adoption facilitators; to provide  
penalties; and to repeal acts and parts of acts,"

(MCL 722.111 to 722.128) by adding section 4c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 4c. (1) With the written approval from the department, an**  
2 **operator of a family child care home or group child care home who**  
3 **has a regular license with no pending disciplinary action,**  
4 **including, but not limited to, a provisional license, refusal to**  
5 **renew, or revocation or increased monitoring due to violation of a**



1 rule or law, may submit a written request to the department to care  
2 for additional unrelated school-age children during before- or  
3 after-school hours.

4 (2) Upon approval from the department, a family child care  
5 home may care for 2 additional unrelated school-age children during  
6 before- or after-school care hours. The existing square footage  
7 requirement must be met to obtain departmental approval.

8 (3) Upon approval from the department, a group child care home  
9 may care for 4 additional unrelated school-age children during  
10 before- or after-school care hours. The existing square footage  
11 requirement must be met to obtain departmental approval.

12 (4) The department shall rescind the written approval of 2  
13 additional school-age children for an operator of a family child  
14 care home if a recommendation is made for disciplinary action, as  
15 described in subsection (2), including, but not limited to,  
16 increased monitoring of that license due to substantial or willful  
17 violation of a rule or law.

18 (5) The department shall rescind the written approval of 4  
19 additional school-age children for an operator of a group child  
20 care home if a recommendation is made for disciplinary action, as  
21 described in subsection (3), including, but not limited to,  
22 increased monitoring of that license due to a substantial or  
23 willful violation of a rule or law.

24 (6) While providing before- or after-school care, an operator  
25 of a family child care home approved under this section is exempt  
26 from counting up to 2 additional unrelated school-age children in  
27 the ratio of child care personnel to children as allowed in the  
28 administrative rules.

29 (7) While providing before- or after-school care, an operator



1 of a group child care home approved under this section is exempt  
2 from counting up to 4 additional unrelated school-age children in  
3 the ratio of child care personnel to children as allowed in the  
4 administrative rules.

5 (8) As used in this section:

6 (a) "Before- or after-school care" means child care during the  
7 hours of 5 a.m. to 9 a.m. and 2:30 p.m. to 6 p.m. on school days.  
8 Before- or after-school care does not apply to a school break from  
9 regularly scheduled classes, including spring, summer, and winter  
10 break, or when school is closed for observing a state or federal  
11 holiday or a snow day.

12 (b) "Child care personnel" means an individual who is 14 years  
13 of age or older to whom 1 or more of the following apply:

14 (i) The individual is employed by a group child care home or  
15 family child care home for compensation, including a contract  
16 employee or a self-employed individual.

17 (ii) An individual whose activities involve the unsupervised  
18 care or supervision of children for a group child care home or  
19 family child care home.

20 (iii) An individual who has unsupervised access to children who  
21 are cared for or supervised by a group child care home or family  
22 child care home.

23 (iv) An individual who acts in the role of a licensee designee.

