

**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 or group child care home may care for 2 additional unrelated
6 school-age children during before- or after-school care hours. The
7 existing square footage requirement must be met to obtain
8 departmental approval.

9 (3) The department shall rescind the written approval of 2
10 additional school-age children for an operator of a family child
11 care home or group child care home if a recommendation is made for
12 disciplinary action, as described in subsection (1), including, but
13 not limited to, increased monitoring of that license due to
14 substantial or willful violation of a rule or law.

15 (4) While providing before- or after-school care, an operator
16 of a family child care home or group child care home approved under
17 this section is exempt from counting up to 2 additional unrelated
18 school-age children in the ratio of child care personnel to
19 children as allowed in the administrative rules.

20 (5) As used in this section:

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

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

29 (i) The individual is employed by a family child care home or



1 group child care home for compensation, including a contract
2 employee or a self-employed individual.

3 (ii) An individual whose activities involve the unsupervised
4 care or supervision of children for a family child care home or
5 group child care home.

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

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