

1 H.967

2 Introduced by Committee on Human Services

3 Date:

4 Subject: Human services; child care; family child care homes; attendance by
5 school-age children

6 Statement of purpose of bill as introduced: This bill proposes to expand the
7 hours that a family child care home may care for school-age children from
8 four hours a day to full time when the school-age children's schools have
9 scheduled a student for remote instruction occurring electronically off school
10 premises.

11 An act relating to the provision of child care at family child care homes
12 during remote learning days

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 33 V.S.A. § 3511 is amended to read:

15 § 3511. DEFINITIONS

16 As used in this chapter:

17 * * *

18 (7) "Family child care home" means a child care facility ~~which~~ that
19 provides care on a regular basis in the caregiver's own residence for not more
20 than 10 children at any one time. Of this number, up to six children may be

1 provided care on a full-time basis and the remainder on a part-time basis. As
2 used in this subdivision, care of a child on a part-time basis shall mean care of
3 a school-age child for not more than four hours a day. These limits shall not
4 include children who reside in the residence of the caregiver, except:

5 (A) These part-time school-age children may be cared for on a full-
6 day basis during school closing days, remote learning days, snow days, and
7 vacation days ~~which~~ that occur during the school year. As used in this
8 subdivision, a “remote learning day” means any day in which a school-age
9 student’s school has provided the option for or has scheduled some or all
10 students for full- or part-time remote instruction occurring electronically off
11 school premises.

12 (B) During the school summer vacation, up to 12 children may be
13 cared for, provided that at least six of these children are of school age and a
14 second staff person is present and on duty when the number of children in
15 attendance exceeds six. These limits shall not include children who are
16 required by law to attend school (seven years of age and older) and who reside
17 in the residence of the caregiver.

18 * * *

19 Sec. 2. 33 V.S.A. § 3511 is amended to read:

20 § 3511. DEFINITIONS

21 As used in this chapter:

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(7) “Family child care home” means a child care facility that provides care on a regular basis in the caregiver’s own residence for not more than 10 children at any one time. Of this number, up to six children may be provided care on a full-time basis and the remainder on a part-time basis. As used in this subdivision, care of a child on a part-time basis shall mean care of a school-age child for not more than four hours a day. These limits shall not include children who reside in the residence of the caregiver, except:

(A) These part-time school-age children may be cared for on a full-day basis during school closing days, ~~remote learning days~~, snow days, and vacation days that occur during the school year. ~~As used in this subdivision, a “remote learning day” means any day in which a school-age student’s school has provided the option for or has scheduled some or all students for full- or part-time remote instruction occurring electronically off school premises.~~

(B) During the school summer vacation, up to 12 children may be cared for, provided that at least six of these children are of school age and a second staff person is present and on duty when the number of children in attendance exceeds six. These limits shall not include children who are required by law to attend school (seven years of age and older) and who reside in the residence of the caregiver.

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1 ~~Sec. 3. EFFECTIVE DATES~~

2 ~~(a) This section and Sec. 1 (33 V.S.A. § 3511) shall take effect on passage.~~

3 ~~(b) Sec. 2 (33 V.S.A. § 3511) shall take effect on September 1, 2021.~~

Sec. 3. EFFECTIVE DATES

(a) This section shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. 1 (33 V.S.A. § 3511) shall take effect on passage and apply retroactively to September 8, 2020.

(c) Sec. 2 (33 V.S.A. § 3511) shall take effect on September 1, 2021.