

Regular Session, 2005

HOUSE CONCURRENT RESOLUTION NO. 96

BY REPRESENTATIVES DOERGE AND WALKER

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations to provide for the licensing of after-school enrichment programs, pursuant to Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950.

WHEREAS, the Department of Social Services, bureau of licensing, is charged with the responsibility for overseeing the licensing and inspection of child day care facilities in the state of Louisiana; and

WHEREAS, current regulations governing child day care facilities are designed for programs that are open all day, offering full-time care for infants through school-age children; and

WHEREAS, several provisions of the current regulations governing child day care facilities are not appropriate when applied to programs that provide specialized enrichment services only to school-age children during after-school hours; and

WHEREAS, the provisions of current regulations that are inappropriate to after-school enrichment programs include the following:

- (1) The requirement that the facility provide a hot lunch.
- (2) The requirement that the facility provide adequate outdoor play space.
- (3) The requirement that a certified teacher be named as director of the facility; and

WHEREAS, after-school enrichment programs are beneficial because they provide instruction and activities in art, dance, and drama, among others, that engage the imagination and help the child to become a more fully developed human being; and

WHEREAS, after-school enrichment programs also provide a safe environment for children, especially inner-city children, during after-school hours when they might otherwise be left unattended, and the lack of such programs may place the health, safety, and welfare of such children in imminent peril.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations creating a separate category of child day care license, known as an after-school enrichment program module.

BE IT FURTHER RESOLVED that for the limited purpose of adopting rules and regulations pursuant to this House Concurrent Resolution, as requested by the department in lieu of legislation creating an after-school enrichment program, time is of the essence and, accordingly, the legislature does hereby find that an emergency exists sufficient to justify the adoption of such rules and regulations pursuant to the emergency rules provision of the Administrative Procedure Act.

BE IT FURTHER RESOLVED that the Department of Social Services, bureau of licensing, shall seek the input of licensed child care providers and after-school enrichment providers and may consult with legislative staff in crafting proposed rules and regulations designed to allow the operation of after-school enrichment programs, keeping in mind the health and safety of children enrolled in such programs and considering the mandates of the Child Care Facilities and Child-Placing Agencies Licensing Act.

BE IT FURTHER RESOLVED that the Department of Social Services, bureau of licensing, shall submit in writing a preliminary draft of its proposed rules and regulations to the chairman of the House and Senate Health and Welfare Committees and to the author of this House Concurrent Resolution by August 4, 2005, and within sixty days thereafter shall promulgate by emergency rule, as authorized by R.S. 49:953(B), rules and regulations pursuant to the Administrative Procedure Act.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the secretary of the Department of Social Services and to the director of the bureau of licensing.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE