

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1054

Introduced by Walz, 15.

Read first time January 08, 2024

Committee:

- 1 A BILL FOR AN ACT relating to child care; to adopt the Child Care Safety
- 2 and Security Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 7 of this act shall be known and may be
2 cited as the Child Care Safety and Security Act.

3 Sec. 2. The Legislature finds that the safety and security of
4 children in child care and early education programs warrants the need for
5 emergency preparedness for, and response to, weather events, fires,
6 intruders, accidents, and other threats to a child's safety. It is
7 necessary that standards for emergency preparedness and response for
8 child care and early education programs be aligned with such standards in
9 elementary and secondary schools.

10 Sec. 3. For purposes of the Child Care Safety and Security Act:

11 (1) Child care and early education program means a program licensed
12 under the Child Care Licensing Act and which operates as a for-profit or
13 nonprofit organization under the Internal Revenue Code of 1986, as
14 amended, the federal Head Start program, and the Early Head Start
15 program;

16 (2) Early childhood support agency means an organization that
17 provides support services to a child care and early education program;

18 (3) Emergency response notification system means an electronic
19 system that can deliver alerts or other notifications during an emergency
20 to a targeted group of subscribers;

21 (4) Designee means a public school district, city or village, local
22 public health department, law enforcement agency, early childhood support
23 agency, or local emergency management agency that enters into a
24 memorandum of understanding as described in section 5 of this act; and

25 (5) Safety and reunification procedure means a standard which is
26 approved by the State Department of Education for the purpose of
27 emergency preparedness and response.

28 Sec. 4. (1) The Child Care Safety and Security Fund is created. The
29 fund shall be administered by the State Department of Education and shall
30 consist of money transferred by the Legislature. Any money in the fund
31 available for investment shall be invested by the state investment

1 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
2 State Funds Investment Act.

3 (2) Subject to available appropriations, the department shall award
4 grants to educational service units on a competitive basis on behalf of
5 designees for emergency response notification systems, training and
6 materials related to safety and reunification procedures.

7 (3) It is the intent of the Legislature to transfer three hundred
8 thousand dollars from the Cash Reserve Fund to the Child Care Safety and
9 Security Fund for fiscal year 2024-25.

10 Sec. 5. An educational service unit may apply to the State
11 Department of Education for a grant, using forms and in a manner
12 prescribed by the department, to provide funding to designees that
13 operate within the educational service unit's boundaries. To receive
14 funding, a designee shall enter into a memorandum of understanding with
15 the appropriate educational service unit in the designee's geographic
16 area for the purpose of funding qualifying projects as described in this
17 section. In order to qualify for a grant, the educational service unit
18 shall demonstrate to the department that:

19 (1) A designee is assigned, through a memorandum of understanding,
20 to administer the emergency response notification system for child care
21 and early education programs that opt into the notification system within
22 a defined geographic area. Such defined geographic area shall allow the
23 designee to reasonably respond to local area emergencies. Other programs
24 not required to be licensed under the Child Care Licensing Act within the
25 defined geographic area may subscribe to the emergency response
26 notification system. Funding amounts for designees under this subdivision
27 shall not exceed one thousand dollars per year;

28 (2) A security and safety plan, as approved by the department, has
29 been provided by the designee which shall operate the emergency
30 notification system. Such security and safety plan shall include
31 information on a community response team to provide for reunification

1 procedures;

2 (3) A designee is assigned, through a memorandum of understanding,
3 to distribute safety and reunification procedure materials for use in
4 facilities that care for children in child care and early education
5 programs. Funding amounts for designees under this subdivision shall not
6 exceed one thousand dollars per year; and

7 (4) A designee is assigned, through a memorandum of understanding,
8 to coordinate, administer, or provide for safety and reunification
9 procedure training to child care and early education programs including,
10 but not limited to, administrators, staff, children, and parents. Funding
11 amounts for designees under this subdivision shall not exceed one
12 thousand dollars per year.

13 Sec. 6. (1) On or before December 1 of each year, the State
14 Department of Education shall provide a report electronically to the
15 Clerk of the Legislature which shall include, but not be limited to:

16 (a) The number of designees that received grant funding under the
17 Child Care Safety and Security Act, including the type of organization,
18 the ages of children served by programs enrolled in the emergency
19 response notification system, the number of children served by such
20 programs, and the geographic locations of such programs;

21 (b) How grant funds were used;

22 (c) The average amount of grant funds received by designees broken
23 down by the number of children served;

24 (d) The number of designees denied grant funding and the reasons for
25 each denial; and

26 (e) Any other information required by the department.

27 (2) The report shall not identify any child care and early education
28 program.

29 Sec. 7. The State Board of Education may adopt and promulgate rules
30 and regulations to carry out the Child Care Safety and Security Act.