

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 586**

Introduced by Mello, 5.  
Read first time January 23, 2013  
Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Child Care Licensing Act; to amend section  
2 71-1908, Reissue Revised Statutes of Nebraska; to provide  
3 content for rules and regulations for family child care  
4 homes, child care centers, and preschools as prescribed;  
5 to harmonize provisions; and to repeal the original  
6 section.

7 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 71-1908, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   71-1908 (1) Sections 71-1908 to 71-1923 and sections 2 to  
4 39 of this act shall be known and may be cited as the Child Care  
5 Licensing Act.

6                   (2) The Legislature finds that there is a present and  
7 growing need for quality child care programs and facilities. There is  
8 a need to establish and maintain licensure of persons providing such  
9 programs to ensure that such persons are competent and are using safe  
10 and adequate facilities. The Legislature further finds and declares  
11 that the development and supervision of programs are a matter of  
12 statewide concern and should be dealt with uniformly on the state and  
13 local levels. There is a need for cooperation among the various state  
14 and local agencies which impose standards on licensees, and there  
15 should be one agency which coordinates the enforcement of such  
16 standards and informs the Legislature about cooperation among the  
17 various agencies.

18                   Sec. 2. Rules and regulations adopted and promulgated  
19 pursuant to the Child Care Licensing Act shall include, but not be  
20 limited to, the provisions of sections 3 to 39 of this act.

21                   Sec. 3. (1) An applicant for or a holder of a license to  
22 operate a family child care home shall complete a criminal history  
23 record information check for himself or herself and for each member  
24 of his or her household who is nineteen years of age or older. Each  
25 applicant nineteen years of age or older for employment in a family

1 child care home shall complete a preemployment criminal history  
2 record information check. Each person nineteen years of age or older  
3 who assists with child care in a family child care home as a  
4 volunteer shall complete a criminal history record information check  
5 before acting as a volunteer in a family child care home. The  
6 applicant for licensure or licensee shall maintain documentation of  
7 such criminal history record information checks available for review  
8 by the department.

9           (2) The criminal history record information checks  
10 required by this section shall be conducted through the Nebraska  
11 State Patrol or one or more local law enforcement agencies. If a  
12 licensee, applicant for licensure, household member nineteen years of  
13 age or older, or applicant for employment nineteen years of age or  
14 older has lived in Nebraska less than twelve months, he or she shall  
15 provide the department with documentation of a criminal history  
16 record information check from his or her previous state of residence.

17           (3) A person is permanently disqualified from holding a  
18 license to operate a family child care home or working as an employee  
19 or volunteer in a family child care home if he or she has a criminal  
20 history which includes conviction of any unlawful act endangering the  
21 health or safety of another individual, including, but not limited  
22 to:

- 23           (a) Aggravated or armed robbery;  
24           (b) Assault in the first or second degree;  
25           (c) Child abandonment;

- 1           (d) Child abuse;
- 2           (e) Child molestation or debauching a minor;
- 3           (f) Child neglect;
- 4           (g) Commercial sexual exploitation of a minor;
- 5           (h) Domestic violence;
- 6           (i) Exploitation of a minor involving drug offenses or  
7 conviction of drug offenses that involved a minor;
- 8           (j) Felony controlled substance offenses other than  
9 possession of a controlled substance;
- 10          (k) Felony violation of custody;
- 11          (l) Incest;
- 12          (m) Kidnapping;
- 13          (n) Murder in the first or second degree;
- 14          (o) Sexual abuse of a minor;
- 15          (p) Sexual assault;
- 16          (q) Sexual exploitation of a minor, including child  
17 pornography; or
- 18          (r) Voluntary manslaughter.
- 19          (4) A person is disqualified from holding a license to  
20 operate a family child care home or working as an employee or a  
21 volunteer in a family child care home if he or she has a criminal  
22 history that includes conviction in the preceding twenty years of:
- 23           (a) Arson;
- 24           (b) Criminal nonsupport;
- 25           (c) Felony possession of controlled substance offenses;

1           (d) Felony theft; or

2           (e) Robbery.

3           The disqualification period under this subsection begins  
4 on the date the conviction became final. Any period of time during  
5 which the individual is incarcerated, either in jail or a state or  
6 federal correctional facility, is not included in the calculation of  
7 the disqualification period. If the individual has more than one  
8 conviction, the disqualification period begins on the date the most  
9 recent conviction became final.

10           (5) An individual is disqualified from holding a license  
11 to operate a family child care home or working as an employee or a  
12 volunteer in a family child care home if he or she has a criminal  
13 history that includes conviction in the preceding five years of:

14           (a) Burglary;

15           (b) Driving while under the influence of alcohol or  
16 drugs, two or more convictions;

17           (c) Felony issuance of a bad check;

18           (d) Misdemeanor controlled substance offenses;

19           (e) Misdemeanor contributing to the delinquency of a  
20 child; or

21           (f) Misdemeanor theft.

22           The disqualification period under this subsection begins  
23 on the date the conviction became final. Any period of time during  
24 which the individual is incarcerated, either in jail or a state or  
25 federal correctional facility, is not included in the calculation of

1 the disqualification period. If the individual has more than one  
2 conviction, the disqualification period begins on the date the most  
3 recent conviction became final.

4 (6) An applicant for or the holder of a license to  
5 operate a family child care home is disqualified for such license if  
6 the applicant, the licensee, or a household member has had his or her  
7 parental rights terminated by a court because of a finding of abuse  
8 or neglect of a child or inability to care for a child. An applicant  
9 for employment, an employee, or a volunteer shall not work or  
10 volunteer in a family child care home if he or she has had his or her  
11 rights as a parent terminated by a court because of a finding of  
12 abuse or neglect of a child or inability to care for a child.

13 (7) A person may hold a license to operate a family child  
14 care home or work as an employee or a volunteer in a family child  
15 care home with a pending complaint, indictment, or conviction of  
16 other crimes if the department determines the person has the  
17 character and fitness to work with children. In making this  
18 determination, the department may consider the following factors with  
19 respect to the conduct addressed in the complaint, indictment, or  
20 conviction:

21 (a) The age of the person at the time of the conduct;

22 (b) The recency of the conduct;

23 (c) The seriousness of the conduct;

24 (d) The factors underlying the conduct;

25 (e) The cumulative effect of the conduct;

1                   (f) The evidence of rehabilitation;  
2                   (g) The person's positive social contributions since the  
3 conduct;  
4                   (h) The person's honesty in providing information; and  
5                   (i) The materiality of any omissions or  
6 misrepresentations.

7                   (8) The department may deny or take action against a  
8 license if an applicant for a license, a licensee, a household  
9 member, an employee, or a volunteer is found to have a criminal  
10 history that includes conviction or substantial evidence of  
11 committing or permitting, or aiding or abetting another to commit,  
12 any unlawful act endangering the health or safety of another  
13 individual or a history of convictions or behavior that shows an  
14 inability or unwillingness to comply with laws or regulations.

15                   Sec. 4. (1) The department may deny or take action  
16 against a license if an applicant for or a holder of a license to  
17 operate a family child care home or a family member, an employee, or  
18 a volunteer applying for, working, or volunteering in a child care  
19 home is: (a) Thirteen years of age or older and listed on the central  
20 register created pursuant to section 28-718; (b) eighteen years of  
21 age or older and listed on the Adult Protective Services Central  
22 Registry created under section 28-376; or (c) a registered sex  
23 offender pursuant to the Sex Offender Registration Act.

24                   (2) The applicant, licensee, household member, employee,  
25 or volunteer shall provide enough information to the department for

1 an accurate check of the registries described in subsection (1) of  
2 this section and the information available to the sex offender  
3 registration and community notification division of the Nebraska  
4 State Patrol and shall authorize the release of information from the  
5 registries or the division. The department shall conduct the checks  
6 of such registries and provide the results to the applicant,  
7 licensee, household member, employee, or volunteer. The applicant,  
8 licensee, household member, employee, or volunteer shall request the  
9 information available to the sex offender registration and community  
10 notification division of the Nebraska State Patrol. All checks  
11 pursuant to this subsection shall be completed before the applicant,  
12 licensee, household member, employee, or volunteer assumes  
13 responsibility for the care and supervision of children in a family  
14 child care home.

15 (3) Any applicant, licensee, household member, employee,  
16 or volunteer who is listed on either of the registries described in  
17 subsection (1) of this section or is a registered sex offender  
18 pursuant to the Sex Offender Registration Act shall not be on the  
19 premises of a family child care home during the hours of operation,  
20 except that a parent listed as a perpetrator may be allowed on the  
21 premises only to pick up and drop off his or her child.

22 Sec. 5. (1) An applicant for or a holder of a license to  
23 operate a family child care home shall complete a report of law  
24 enforcement contact for himself or herself and shall obtain a  
25 completed report for each employee, each volunteer, and each



1 household member who is nineteen years of age or older. The reports  
2 shall:

3 (a) Be updated, signed, and dated annually;

4 (b) Be updated any time an applicant while the  
5 application is pending, a licensee, an employee, a volunteer, or a  
6 household member is arrested, is issued a citation other than a minor  
7 traffic violation, or is charged with or convicted of any felony,  
8 misdemeanor, or infraction;

9 (c) List all previous and currently pending criminal  
10 charges and arrests, both felony and misdemeanor, regardless of  
11 prosecution;

12 (d) List any felony or misdemeanor charges and arrests  
13 related to crimes against children;

14 (e) List any felony or misdemeanor convictions;

15 (f) List any current or past parole or probation status,  
16 including pretrial diversion or court supervision; and

17 (g) List each date of contact with law enforcement,  
18 county and state of the contact, and reason for the contact and any  
19 arrest, charge, conviction, and disposition.

20 (2) As soon as the licensee or applicant becomes aware of  
21 the contact, he or she shall notify the department of any arrest,  
22 misdemeanor ticket other than a minor traffic violation, pending  
23 criminal charges, and felony or misdemeanor convictions of himself,  
24 herself, employees and volunteers of the family child care home, or  
25 household members. Failure to notify the department of law

1 enforcement contacts as described in this section may result in  
2 disciplinary action.

3           Sec. 6. If the holder of a license to operate a family  
4 child care home has reason to believe that an employee or a volunteer  
5 is being or has been investigated for abuse, neglect, or sexual abuse  
6 of a child or vulnerable adult, the licensee shall submit the name of  
7 the employee or volunteer to the department for a check with the  
8 central register created pursuant to section 28-718 or the Adult  
9 Protective Services Central Registry created pursuant to section  
10 28-376.

11           Any employee or volunteer of a family child care home who  
12 is under investigation for abuse, neglect, or sexual abuse of a child  
13 or vulnerable adult shall not be left alone with children in the  
14 family child care home until the investigation is completed and the  
15 findings are determined.

16           Sec. 7. An applicant for a license to operate a family  
17 child care home shall submit a completed and signed health  
18 information report on a form provided by the department for himself  
19 or herself as part of the initial application. All employees of a  
20 family child care home who are responsible for the care and  
21 supervision of children more than twenty hours per week shall  
22 complete a health information report within thirty days after the  
23 date of hiring. The reports shall be updated annually.

24           The health information report shall include an assessment  
25 by a health professional of the applicant or employee and any health

1 conditions that could negatively affect his or her ability to care  
2 for children. If the information indicates that the applicant or  
3 employee has, or has had, a health condition that could negatively  
4 affect his or her ability to care for children, the department may  
5 request additional information.

6           Sec. 8. An applicant for or the holder of a license to  
7 operate a family child care home shall complete the training as  
8 provided in sections 9 to 15 of this act and shall keep documentation  
9 of the completion of all training on the premises and available for  
10 the department to review. Acceptable documentation of training  
11 includes certificates issued by persons conducting the training and  
12 documentation of independent study.

13           Sec. 9. Before a provisional license to operate a family  
14 child care home may be issued, the applicant shall complete the  
15 following:

16           (1) A two-hour orientation training provided by the  
17 department;

18           (2) Cardiopulmonary resuscitation training as described  
19 in section 15 of this act; and

20           (3) First-aid training.

21           Sec. 10. (1) The holder of a license to operate a family  
22 child care home shall complete training developed by the Early  
23 Childhood Training Center established pursuant to section 79-1102 on  
24 sudden infant death syndrome, safe sleep, shaken baby syndrome, and  
25 child abuse and neglect and reporting. Any proposed equivalent

1 training shall be approved by the department.

2 (2) A licensee licensed on or after the effective date of  
3 this act shall complete such training within three years after the  
4 date of provisional licensure under section 71-1911 and every five  
5 years thereafter.

6 (3) A licensee whose license is issued licensed before  
7 the effective date of this act shall complete the training within  
8 three years after such date and every five years thereafter.

9 (4) The training described in subsection (1) of this  
10 section shall count toward the annual training requirement set out in  
11 section 13 of this act.

12 Sec. 11. (1) The holder of a license to operate a family  
13 child care home shall complete a business training module for family  
14 child care homes developed by the Early Childhood Training Center  
15 established pursuant to section 79-1102. Any proposed equivalent  
16 training must be approved by the department.

17 (2) A licensee licensed on or after the effective date of  
18 this act shall complete the training within five years after the date  
19 of provisional licensure under section 71-1911.

20 (3) A licensee licensed before the effective date of this  
21 act shall complete the training within five years after such date.

22 (4) The training described in subsection (1) of this  
23 section shall count toward the annual training requirement set out in  
24 section 13 of this act.

25 Sec. 12. (1) The holder of a license to operate a family

1 child care home shall complete training in the seven domains of the  
2 early childhood learning guidelines developed by the Early Childhood  
3 Training Center established pursuant to section 79-1102. Any proposed  
4 equivalent training shall be approved by the department. The seven  
5 domains are: (a) Approaches to learning, (b) creative arts, (c)  
6 health and physical development, (d) language and literacy  
7 development, (e) mathematics, (f) science, and (g) social and  
8 emotional development.

9 (2) A licensee licensed on or after the effective date of  
10 this act shall complete training in one domain within four years  
11 after the date of provisional licensure under section 71-1911 and one  
12 domain annually thereafter.

13 (3) A licensee licensed before the effective date of this  
14 act shall complete training in one domain within four years after  
15 such date and one domain annually thereafter.

16 (4) The training described in this section shall count  
17 toward the annual training requirement set out in section 13 of this  
18 act.

19 Sec. 13. (1) The holder of a license to operate a family  
20 child care home or a child care center and each employee who works  
21 more than twenty hours per week, not including substitutes or  
22 volunteers, shall obtain twelve clock hours of training annually.  
23 Employees who work twenty hours or fewer each week shall complete six  
24 clock hours of training annually.

25 (2) Such training shall include, but not be limited to,

1 the following topics:

2 (a) Safe environments;

3 (b) Healthy environments;

4 (c) Learning environments;

5 (d) Physical development;

6 (e) Cognitive learning;

7 (f) Communication;

8 (g) Creative learning;

9 (h) Self-esteem;

10 (i) Social development;

11 (j) Guidance;

12 (k) Family relationships;

13 (l) Program management; and

14 (m) Professionalism.

15 (3) Audio, video, and reading material specific to one or  
16 more of these training topics shall count toward the annual training  
17 requirement only if an independent learning summary is completed on a  
18 form provided by the department. The actual length of audio and video  
19 material will be counted, and fifty pages of text will be considered  
20 equal to one clock hour of training. Two hours of cardiopulmonary  
21 resuscitation training and one hour of first-aid training shall be  
22 counted in the year that each is taken.

23 Sec. 14. Each clock hour spent participating in any of  
24 the following types of activities shall count toward the annual  
25 training requirement set out in section 13 of this act:

1           (1) Workshops and conferences;

2           (2) College courses;

3           (3) Noncredit course work; and

4           (4) Adult education courses.

5           Sec. 15. (1) Cardiopulmonary resuscitation training shall  
6 be obtained from an entity that has been approved by the Board of  
7 Emergency Medical Services. The department shall provide a holder of  
8 a license to operate a family child care home with information about  
9 approved cardiopulmonary resuscitation courses.

10           (2) A holder of a license to operate a family child care  
11 home shall maintain current cardiopulmonary resuscitation and first-  
12 aid training as long as he or she is licensed.

13           (3) A current cardiopulmonary resuscitation card and  
14 documentation of first-aid training shall be provided to the  
15 department upon request.

16           Sec. 16. (1) An applicant for or a holder of a license to  
17 operate a child care center shall complete a criminal history record  
18 information check for himself or herself and for each member of his  
19 or her household who is nineteen years of age or older if the child  
20 care center is located in a private residence. Each applicant  
21 nineteen years of age or older for employment in a child care center  
22 shall complete a preemployment criminal history record information  
23 check. Each person nineteen years of age or older who assists with  
24 child care in a child care center as a volunteer shall complete a  
25 criminal history record information check before acting as a

1 volunteer in a child care center. The applicant for licensure or  
2 licensee shall maintain documentation of such criminal history record  
3 information checks available for review by the department.

4 (2) The criminal history record information checks  
5 required by this section shall be conducted through the Nebraska  
6 State Patrol or one or more local law enforcement agencies. If a  
7 licensee, applicant for licensure, applicant for employment nineteen  
8 years of age or older, or household member nineteen years of age or  
9 older, if applicable, has lived in Nebraska less than twelve months,  
10 he or she shall provide the department with documentation of a  
11 criminal history record information check from his or her previous  
12 state of residence.

13 (3) A person is permanently disqualified from holding a  
14 license to operate a child care center or working as an employee or  
15 volunteer in a child care center if he or she has a criminal history  
16 which includes conviction of any unlawful act endangering the health  
17 or safety of another individual, including, but not limited to:

18 (a) Aggravated or armed robbery;

19 (b) Assault in the first or second degree;

20 (c) Child abandonment;

21 (d) Child abuse;

22 (e) Child molestation or debauching a minor;

23 (f) Child neglect;

24 (g) Commercial sexual exploitation of a minor;

25 (h) Domestic violence;



1           (i) Exploitation of a minor involving drug offenses or  
2 conviction of drug offenses that involved a minor;

3           (j) Felony controlled substance offenses other than  
4 possession of a controlled substance;

5           (k) Felony violation of custody;

6           (l) Incest;

7           (m) Kidnapping;

8           (n) Murder in the first or second degree;

9           (o) Sexual abuse of a minor;

10          (p) Sexual assault;

11          (q) Sexual exploitation of a minor, including child  
12 pornography; or

13          (r) Voluntary manslaughter.

14          (4) A person is disqualified from holding a license to  
15 operate a child care center or working as an employee or a volunteer  
16 in a child care center if he or she has a criminal history that  
17 includes conviction in the preceding twenty years of:

18               (a) Arson;

19               (b) Criminal nonsupport;

20               (c) Felony possession of controlled substance offenses;

21               (d) Felony theft; or

22               (e) Robbery.

23          The disqualification period under this subsection begins  
24 on the date the conviction became final. Any period of time during  
25 which the individual is incarcerated, either in jail or a state or

1 federal correctional facility, is not included in the calculation of  
2 the disqualification period. If the individual has more than one  
3 conviction, the disqualification period begins on the date the most  
4 recent conviction became final.

5 (5) An individual is disqualified from holding a license  
6 to operate a child care center or working as an employee or a  
7 volunteer in a child care center if he or she has a criminal history  
8 that includes conviction in the preceding five years of:

9 (a) Burglary;

10 (b) Driving while under the influence of alcohol or  
11 drugs, two or more convictions;

12 (c) Felony issuance of a bad check;

13 (d) Misdemeanor controlled substance offenses;

14 (e) Misdemeanor contributing to the delinquency of a  
15 child; or

16 (f) Misdemeanor theft.

17 The disqualification period under this subsection begins  
18 on the date the conviction became final. Any period of time during  
19 which the individual is incarcerated, either in jail or a state or  
20 federal correctional facility, is not included in the calculation of  
21 the disqualification period. If the individual has more than one  
22 conviction, the disqualification period begins on the date the most  
23 recent conviction became final.

24 (6) An applicant for or the holder of a license to  
25 operate a child care center is disqualified for such license if the

1 applicant, the licensee, or a household member, if applicable, has  
2 had his or her parental rights terminated by a court because of a  
3 finding of abuse or neglect of a child or inability to care for a  
4 child. An applicant for employment, an employee, or a volunteer shall  
5 not work or volunteer in a child care center if he or she has had his  
6 or her rights as a parent terminated by a court because of a finding  
7 of abuse or neglect of a child or inability to care for a child.

8 (7) A person may hold a license to operate a child care  
9 center or work as an employee or a volunteer in a child care center  
10 with a pending complaint, indictment, or conviction of other crimes  
11 if the department determines the person has the character and fitness  
12 to work with children. In making this determination, the department  
13 may consider the following factors with respect to the conduct  
14 addressed in the complaint, indictment, or conviction:

15 (a) The age of the person at the time of the conduct;

16 (b) The recency of the conduct;

17 (c) The seriousness of the conduct;

18 (d) The factors underlying the conduct;

19 (e) The cumulative effect of the conduct;

20 (f) The evidence of rehabilitation;

21 (g) The person's positive social contributions since the  
22 conduct;

23 (h) The person's honesty in providing information; and

24 (i) The materiality of any omissions or  
25 misrepresentations.

1           (8) The department may deny or take action against a  
2 license if an applicant for a license, a licensee, a household  
3 member, if applicable, an employee, or a volunteer is found to have a  
4 criminal history that includes conviction or substantial evidence of  
5 committing or permitting, or aiding or abetting another to commit,  
6 any unlawful act endangering the health or safety of another  
7 individual or a history of convictions or behavior that shows an  
8 inability or unwillingness to comply with laws or regulations.

9           Sec. 17. (1) The department may deny or take action  
10 against a license if an applicant for or the holder of a license to  
11 operate a child care center or, a household member, an employee, or a  
12 volunteer applying for or working or volunteering in a child care  
13 center is: (a) Thirteen years of age or older and listed on the  
14 central register created pursuant to section 28-718; (b) eighteen  
15 years of age or older and listed on the Adult Protective Services  
16 Central Registry created under section 28-376; or (c) a registered  
17 sex offender pursuant to the Sex Offender Registration Act.

18           (2) The applicant, licensee, household member, employee,  
19 or volunteer shall provide enough information to the department for  
20 an accurate check of the registries described in subsection (1) of  
21 this section and the information available to the sex offender  
22 registration and community notification division of the Nebraska  
23 State Patrol and shall authorize the release of information from the  
24 registries or the division. The department shall conduct the checks  
25 of such registries and provide the results to the applicant,

1 licensee, household member, employee, or volunteer. The applicant,  
2 licensee, household member, employee, or volunteer shall request the  
3 information available to the sex offender registration and community  
4 notification division of the Nebraska State Patrol. All checks  
5 pursuant to this subsection shall be completed before the applicant,  
6 licensee, household member, employee, or volunteer assumes  
7 responsibility for the care and supervision of children in a child  
8 care center.

9 (3) Any applicant, licensee, household member, employee,  
10 or volunteer who is listed on either of the registries described in  
11 subsection (1) of this section or is a registered sex offender  
12 pursuant to the Sex Offender Registration Act shall not be on the  
13 premises of a child care center during the hours of operation, except  
14 that a parent listed as a perpetrator may be allowed on the premises  
15 only to pick up and drop off his or her child.

16 (4)(a) The names of each applicant, licensee, director,  
17 and employee of a child care center shall be cleared against the  
18 central register created under section 28-718 by the department. When  
19 a child care center is located in the residence of the licensee, the  
20 names of all household members thirteen years of age and older shall  
21 also be cleared by the department against such register.

22 (b) Whenever the name of any applicant, licensee,  
23 director, or employee of a child care center or a household member if  
24 applicable is identified as being on such central register as a  
25 perpetrator, the department shall notify the individual that his or

1 her name appears on the central register and may proceed with actions  
2 necessary to deny or revoke the child care center's license.

3 (5)(a) The names of each applicant, licensee, director,  
4 and employee of a child care center shall be cleared by the  
5 department against the Adult Protective Services Central Registry  
6 created pursuant to section 28-376. When a child care center is  
7 located in the residence of the licensee, the names of all household  
8 members eighteen years of age and older shall also be cleared by the  
9 department against such register.

10 (b) Whenever the name of any applicant, licensee,  
11 director, or employee of a child care center or a household member if  
12 applicable is identified as being on such central registry as a  
13 perpetrator, the department may proceed with actions necessary to  
14 deny or revoke the child care center's license.

15 Sec. 18. (1) An applicant for or a holder of a license to  
16 operate a child care center shall complete a report of law  
17 enforcement contact for himself or herself and shall obtain a  
18 completed report for each employee, each volunteer, and each  
19 household member, if applicable, who is nineteen years of age or  
20 older. The reports shall:

21 (a) Be updated, signed, and dated annually;

22 (b) Be updated any time an applicant while the  
23 application is pending, a licensee, an employee, a volunteer, or a  
24 household member, if applicable, is arrested, is issued a citation  
25 other than a minor traffic violation, or is charged with or convicted

1 of any felony, misdemeanor, or infraction;

2 (c) List all previous and currently pending criminal  
3 charges and arrests, both felony and misdemeanor, regardless of  
4 prosecution;

5 (d) List any felony or misdemeanor charges and arrests  
6 related to crimes against children;

7 (e) List any felony or misdemeanor convictions;

8 (f) List any current or past parole or probation status,  
9 including pretrial diversion or court supervision; and

10 (g) List each date of contact with law enforcement,  
11 county and state of the contact, and reason for the contact and any  
12 arrest, charge, conviction, and disposition.

13 (2)(a) Each applicant, licensee, director, and employee  
14 shall submit a completed and signed felony/misdemeanor statement to  
15 the department. When a child care center is located in the residence  
16 of the licensee, all household members nineteen years of age and  
17 older shall submit a completed and signed felony/misdemeanor  
18 statement to the department, including any crimes for which a  
19 juvenile has been adjudicated as an adult.

20 (b) The department may request additional information  
21 from the licensee or law enforcement agencies.

22 (c) Whenever any applicant, licensee, director, or  
23 employee or household member, if applicable, has a history of  
24 criminal behavior, the department may proceed with actions necessary  
25 to deny or revoke the license of the child care center.

1           (3) As soon as the licensee or applicant becomes aware of  
2 the contact, he or she shall notify the department of any arrest,  
3 misdemeanor ticket other than a minor traffic violation, pending  
4 criminal charges, and felony or misdemeanor convictions of himself,  
5 herself, employees and volunteers of the child care center, or  
6 household members, if applicable. Failure to notify the department of  
7 law enforcement contacts as described in this section may result in  
8 disciplinary action.

9           Sec. 19. When a new director is employed by a child care  
10 center, he or she shall complete department-approved director  
11 orientation within thirty days after starting employment. The  
12 director shall also complete training developed by the Early  
13 Childhood Training Center established pursuant to section 79-1102 on  
14 sudden infant death syndrome, safe sleep, shaken baby syndrome, and  
15 child abuse and neglect and reporting. Any proposed equivalent  
16 training shall be approved by the department. For child care centers  
17 licensed on or after the effective date of this act, the director  
18 shall complete such training within three years after the date of  
19 provisional licensure under section 71-1911 and every five years  
20 thereafter. For child care centers licensed before the effective date  
21 of this act, the director shall complete the training within three  
22 years after such date and every five years thereafter. The training  
23 required by this section shall count toward the annual training  
24 requirement set out in section 13 of this act.

25           Sec. 20. (1)(a) The director of a child care center shall



1 complete child care management training for child care center  
2 directors developed by the Early Childhood Training Center  
3 established pursuant to section 79-1102. Any proposed equivalent  
4 training shall be approved by the department.

5 (b) For child care centers licensed on or after the  
6 effective date of this act, the director shall complete the training  
7 within five years after the date of provisional licensure under  
8 section 71-1911.

9 (c) For child care centers licensed before the effective  
10 date of this act, the director shall complete the training within  
11 five years after such date.

12 (d) The training required by this subsection shall count  
13 toward the annual training requirement set out in section 13 of this  
14 act.

15 (2) When the same licensee operates two or more child  
16 care centers, the licensee may designate another employee who is  
17 responsible for writing policies and procedures, preparing budgets,  
18 and other administrative duties to complete the training required  
19 pursuant to subsection (1) of this section instead of the director.

20 Sec. 21. (1) The director of a child care center shall  
21 complete training in the seven domains of the early childhood  
22 learning guidelines developed by the Early Childhood Training Center  
23 established pursuant to section 79-1102. Any proposed equivalent  
24 training shall be approved by the department. The seven domains are:  
25 (a) Approaches to learning, (b) creative arts, (c) health and

1 physical development, (d) language and literacy development, (e)  
2 mathematics, (f) science, and (g) social and emotional development.

3 (2) A licensee licensed on or after the effective date of  
4 this act shall complete training in one domain within four years  
5 after the date of provisional licensure under section 71-1911 and one  
6 domain annually thereafter.

7 (3) A licensee licensed before the effective date of this  
8 act shall complete training in one domain within four years after  
9 such date and one domain annually thereafter.

10 (4) The training described in this section shall count  
11 toward the annual training requirement set out in section 13 of this  
12 act.

13 Sec. 22. (1) The holder of a license to operate a child  
14 care center shall ensure that teachers employed at the child care  
15 center complete the following training:

16 (a) Training developed by the Early Childhood Training  
17 Center established pursuant to section 79-1102 on sudden infant death  
18 syndrome, safe sleep, shaken baby syndrome, and child abuse and  
19 neglect and reporting. Any proposed equivalent training shall be  
20 approved by the department. Beginning three years after the effective  
21 date of this act, at least fifty percent of all teachers employed by  
22 the child care center shall complete such training; and

23 (b) Training in the domains of the early childhood  
24 learning guidelines developed by the Early Childhood Training Center.  
25 Any proposed equivalent training shall be approved by the department.

1 Within four years after the effective date of this act, at least  
2 twenty-five percent of all teachers employed by the child care center  
3 shall complete training in at least one domain. Within five years  
4 after such date, fifty percent of all teachers employed by the child  
5 care center shall complete training in at least one domain. Within  
6 six years after such date, seventy-five percent of all teachers  
7 employed by the child care center shall complete training in at least  
8 one domain.

9 (2) The training required by this section shall count  
10 toward the annual training requirement set out in section 13 of this  
11 act.

12 Sec. 23. The director of a child care center shall  
13 maintain a list for each calendar year of all teachers showing which  
14 teachers have completed:

- 15 (1) Orientation training;  
16 (2) Safety training;  
17 (3) Early learning guidelines training;  
18 (4) Clock hours of annual training; and  
19 (5) Cardiopulmonary resuscitation and first-aid training.

20 Sec. 24. When new staff or volunteers begin working in a  
21 licensed child care center, they shall be provided with orientation  
22 prior to having direct responsibility for the care of children. The  
23 orientation shall include:

- 24 (1) Job duties and responsibilities;  
25 (2) Infection control practices, including proper hand-

1 washing techniques, personal hygiene, and disposal of infectious  
2 material;

3 (3) Information on abuse, neglect, and sexual abuse of  
4 children and the state's reporting requirements;

5 (4) Child care center regulations;

6 (5) Evacuation plans in the event of fire;

7 (6) Safety plans in the event of a tornado;

8 (7) Emergency preparedness in the event of a natural or  
9 manmade disaster; and

10 (8) The center's method of interacting with children and  
11 discipline policies.

12 Sec. 25. When meals are served by a child care center,  
13 all employees responsible for menu planning, food preparation, and  
14 food service safety shall complete at least four clock hours of  
15 training in nutrition, food safety, and food service within thirty  
16 days after beginning employment and annually thereafter.

17 Sec. 26. Persons who transport children on behalf of a  
18 child care center shall:

19 (1) Receive and maintain a valid certificate of  
20 completion of the "Safe Kids Buckle Up" program within ninety days  
21 after beginning employment and every five years thereafter, except  
22 that persons employed to transport children on behalf of a child care  
23 center before the effective date of this act shall receive and  
24 maintain a valid certificate of completion for "Safe Kids Buckle Up"  
25 within one year after the effective date of this act and every five

1 years thereafter. Any proposed equivalent training shall be approved  
2 by the department; and

3 (2) Maintain valid certificates for cardiopulmonary  
4 resuscitation and first-aid training. Persons employed before the  
5 effective date of this act to transport children on behalf of a child  
6 care center shall complete cardiopulmonary resuscitation and first-  
7 aid training within one year after the effective date of this act and  
8 maintain valid certificates thereafter.

9 Sec. 27. (1) An applicant for or a holder of a license to  
10 operate a preschool shall complete a criminal history record  
11 information check for himself or herself and for each member of his  
12 or her household who is nineteen years of age or older if the  
13 preschool is located in a private residence. Each applicant nineteen  
14 years of age or older for employment in a preschool shall complete a  
15 preemployment criminal history record information check. Each person  
16 nineteen years of age or older who works in a preschool as a  
17 volunteer shall complete a criminal history record information check  
18 before acting as a volunteer in a preschool. The applicant for  
19 licensure or licensee shall maintain documentation of such criminal  
20 history record information checks available for review by the  
21 department.

22 (2) The criminal history record information checks  
23 required by this section shall be conducted through the Nebraska  
24 State Patrol or one or more local law enforcement agencies. If a  
25 licensee, applicant for licensure, applicant for employment nineteen

1 years of age or older, or household member nineteen years of age or  
2 older, if applicable, has lived in Nebraska less than twelve months,  
3 he or she shall provide the department with documentation of a  
4 criminal history record information check from his or her previous  
5 state of residence.

6 (3) A person is permanently disqualified from holding a  
7 license to operate a preschool or working as an employee or volunteer  
8 in a preschool if he or she has a criminal history which includes  
9 conviction of any unlawful act endangering the health or safety of  
10 another individual, including, but not limited to:

11 (a) Aggravated or armed robbery;

12 (b) Assault in the first or second degree;

13 (c) Child abandonment;

14 (d) Child abuse;

15 (e) Child molestation or debauching a minor;

16 (f) Child neglect;

17 (g) Commercial sexual exploitation of a minor;

18 (h) Domestic violence;

19 (i) Exploitation of a minor involving drug offenses or  
20 conviction of drug offenses that involved a minor;

21 (j) Felony controlled substance offenses other than  
22 possession of a controlled substance;

23 (k) Felony violation of custody;

24 (l) Incest;

25 (m) Kidnapping;

- 1           (n) Murder in the first or second degree;  
2           (o) Sexual abuse of a minor;  
3           (p) Sexual assault;  
4           (q) Sexual exploitation of a minor, including child  
5 pornography; or  
6           (r) Voluntary manslaughter.  
7           (4) A person is disqualified from holding a license to  
8 operate a preschool or working as an employee or a volunteer in a  
9 preschool if he or she has a criminal history that includes  
10 conviction in the preceding twenty years of:  
11           (a) Arson;  
12           (b) Criminal nonsupport;  
13           (c) Felony possession of controlled substance offenses;  
14           (d) Felony theft; or  
15           (e) Robbery.  
16           The disqualification period under this subsection begins  
17 on the date the conviction became final. Any period of time during  
18 which the individual is incarcerated, either in jail or a state or  
19 federal correctional facility, is not included in the calculation of  
20 the disqualification period. If the individual has more than one  
21 conviction, the disqualification period begins on the date the most  
22 recent conviction became final.  
23           (5) An individual is disqualified from holding a license  
24 to operate a preschool or working as an employee or a volunteer in a  
25 preschool if he or she has a criminal history that includes

1 conviction in the preceding five years of:

2 (a) Burglary;

3 (b) Driving while under the influence of alcohol or  
4 drugs, two or more convictions;

5 (c) Felony issuance of a bad check;

6 (d) Misdemeanor controlled substance offenses;

7 (e) Misdemeanor contributing to the delinquency of a  
8 child; or

9 (f) Misdemeanor theft.

10 The disqualification period under this subsection begins  
11 on the date the conviction became final. Any period of time during  
12 which the individual is incarcerated, either in jail or a state or  
13 federal correctional facility, is not included in the calculation of  
14 the disqualification period. If the individual has more than one  
15 conviction, the disqualification period begins on the date the most  
16 recent conviction became final.

17 (6) An applicant for or the holder of a license to  
18 operate a preschool is disqualified for such license if the  
19 applicant, the licensee, or a household member, if applicable, has  
20 had his or her parental rights terminated by a court because of a  
21 finding of abuse or neglect of a child or inability to care for a  
22 child. An applicant for employment, an employee, or a volunteer shall  
23 not work or volunteer in a preschool if he or she has had his or her  
24 rights as a parent terminated by a court because of a finding of  
25 abuse or neglect of a child or inability to care for a child.



1           (7) A person may hold a license to operate a preschool or  
2 work as an employee or a volunteer in a preschool with a pending  
3 complaint, indictment, or conviction of other crimes if the  
4 department determines the person has the character and fitness to  
5 work with children. In making this determination, the department may  
6 consider the following factors with respect to the conduct addressed  
7 in the complaint, indictment, or conviction:

8           (a) The age of the person at the time of the conduct;

9           (b) The recency of the conduct;

10          (c) The seriousness of the conduct;

11          (d) The factors underlying the conduct;

12          (e) The cumulative effect of the conduct;

13          (f) The evidence of rehabilitation;

14          (g) The person's positive social contributions since the  
15 conduct;

16          (h) The person's honesty in providing information; and

17          (i) The materiality of any omissions or  
18 misrepresentations.

19          (8) The department may deny or take action against a  
20 license if an applicant for a license, a licensee, a household  
21 member, if applicable, an employee, or a volunteer is found to have a  
22 criminal history that includes conviction or substantial evidence of  
23 committing or permitting, or aiding or abetting another to commit,  
24 any unlawful act endangering the health or safety of another  
25 individual or a history of convictions or behavior that shows an

1 inability or unwillingness to comply with laws or regulations.

2           Sec. 28. (1) The department may deny or take action  
3 against a license if an applicant for or a holder of a license to  
4 operate a preschool or a household member if applicable, an employee,  
5 or a volunteer applying to work or working in a preschool is: (a)  
6 Thirteen years of age or older and listed on the central register  
7 created pursuant to section 28-718; (b) eighteen years of age or  
8 older and listed on the Adult Protective Services Central Registry  
9 created under section 28-376; or (c) a registered sex offender  
10 pursuant to the Sex Offender Registration Act.

11           (2) The applicant, licensee, household member, employee,  
12 or volunteer shall provide enough information to the department for  
13 an accurate check of the registries described in subsection (1) of  
14 this section and the information available to the sex offender  
15 registration and community notification division of the Nebraska  
16 State Patrol and shall authorize the release of information from the  
17 registries or the division. The department shall conduct the checks  
18 of such registries and provide the results to the applicant,  
19 licensee, household member, employee, or volunteer. The applicant,  
20 licensee, household member, employee, or volunteer shall request the  
21 information available to the sex offender registration and community  
22 notification division of the Nebraska State Patrol. All checks  
23 pursuant to this subsection shall be completed before the applicant,  
24 licensee, household member, employee, or volunteer assumes  
25 responsibility for the care and supervision of children in a

1 preschool.

2 (3) Any applicant, licensee, household member, employee,  
3 or volunteer who is listed on either of the registries described in  
4 subsection (1) of this section or is a registered sex offender  
5 pursuant to the Sex Offender Registration Act shall not be on the  
6 premises of a preschool during the hours of operation, except that a  
7 parent listed as a perpetrator may be allowed on the premises only to  
8 pick up and drop off his or her child.

9 (4)(a) The names of each applicant, licensee, director,  
10 and employee of a preschool shall be cleared against the central  
11 register created under section 28-718 by the department. When a  
12 preschool is located in the residence of the licensee, the names of  
13 all household members thirteen years of age and older shall also be  
14 cleared by the department against such register.

15 (b) Whenever the name of an applicant, licensee,  
16 director, or employee of a preschool or a household member if  
17 applicable is identified as being on such central register as a  
18 perpetrator, the department shall notify the individual that his or  
19 her name appears on the central register and may proceed with actions  
20 necessary to deny or revoke the preschool's license.

21 (5)(a) The names of each applicant, licensee, director,  
22 and employee of a preschool shall be cleared by the department  
23 against the Adult Protective Services Central Registry created  
24 pursuant to section 28-376. When a preschool is located in the  
25 residence of the licensee, the names of all household members

1 eighteen years of age and older shall also be cleared by the  
2 department against such register.

3 (b) Whenever the name of an applicant, licensee,  
4 director, or employee of a preschool or a household member if  
5 applicable is identified as being on such central registry as a  
6 perpetrator, the department may proceed with actions necessary to  
7 deny or revoke the preschool's license.

8 Sec. 29. (1) An applicant for or a holder of a license to  
9 operate a preschool shall complete a report of law enforcement  
10 contact for himself or herself and shall obtain a completed report  
11 for each employee, each volunteer, and each household member, if  
12 applicable, who is nineteen years of age or older. The reports shall:

13 (a) Be updated, signed, and dated annually;

14 (b) Be updated any time an applicant while the  
15 application is pending, a licensee, an employee, a volunteer, or a  
16 household member, if applicable, is arrested, is issued a citation  
17 other than a minor traffic violation, or is charged with or convicted  
18 of any felony, misdemeanor, or infraction;

19 (c) List all previous and currently pending criminal  
20 charges and arrests, both felony and misdemeanor, regardless of  
21 prosecution;

22 (d) List any felony or misdemeanor charges and arrests  
23 related to crimes against children;

24 (e) List any felony or misdemeanor convictions;

25 (f) List any current or past parole or probation status,

1 including pretrial diversion or court supervision; and

2 (g) List each date of contact with law enforcement,  
3 county and state of the contact, and reason for the contact and any  
4 arrest, charge, conviction, and disposition.

5 (2)(a) Each applicant, licensee, director, and employee  
6 shall submit a completed and signed felony/misdemeanor statement to  
7 the department. When a preschool is located in the residence of the  
8 licensee, all household members nineteen years of age and older shall  
9 submit a completed and signed felony/misdemeanor statement to the  
10 department, including any crimes for which a juvenile has been  
11 adjudicated as an adult.

12 (b) The department may request additional information  
13 from the licensee or law enforcement agencies.

14 (c) Whenever any applicant, licensee, director, or  
15 employee or household member, if applicable, has a history of  
16 criminal behavior, the department may proceed with actions necessary  
17 to deny or revoke the license of the preschool.

18 (3) As soon as the licensee or applicant becomes aware of  
19 the contact, he or she shall notify the department of any arrest,  
20 misdemeanor ticket other than a minor traffic violation, pending  
21 criminal charges, and felony or misdemeanor convictions of himself,  
22 herself, employees and volunteers of the preschool, or household  
23 members, if applicable. Failure to notify the department of law  
24 enforcement contact as described in this section may result in  
25 disciplinary action.

1           Sec. 30. (1) If the holder of a license to operate a  
2 preschool or the director of a preschool has reason to believe that  
3 an employee or a volunteer is being or has been investigated for  
4 abuse, neglect, or sexual abuse of a child or vulnerable adult, the  
5 licensee or director shall submit the name of such employee or  
6 volunteer to the department for a check with the central register  
7 created pursuant to section 28-718 or the Adult Protective Services  
8 Central Registry established pursuant to section 28-376.

9           (2) Any employee or volunteer of a preschool who is under  
10 investigation for abuse, neglect, or sexual abuse of a child or  
11 vulnerable adult shall not be left alone with children in the  
12 preschool until the investigation is completed and the findings are  
13 determined.

14           Sec. 31. An applicant for a license to operate a  
15 preschool shall submit a completed and signed health information  
16 report on a form provided by the department for himself or herself as  
17 part of the initial application. All employees of a preschool who are  
18 responsible for the care and supervision of children for more than  
19 twenty hours per week shall complete a health information report  
20 within thirty days after the date of hiring. The reports shall be  
21 updated annually.

22           The health information report shall include an assessment  
23 by a health professional of the applicant or employee and any health  
24 conditions that could negatively affect his or her ability to care  
25 for children. If the information indicates that the applicant or

1 employee has or had a health condition that could negatively affect  
2 his or her ability to care for children, the department may request  
3 additional information.

4           Sec. 32. When a new preschool director is employed, he or  
5 she shall complete department-approved director orientation within  
6 thirty days after starting employment. The director shall also  
7 complete:

8           (1) Training developed by the Early Childhood Training  
9 Center established pursuant to section 79-1102 on child abuse and  
10 neglect and reporting. Any proposed equivalent training shall be  
11 approved by the department. For preschools licensed on or after the  
12 effective date of this act, the director shall complete the training  
13 within three years after the date of provisional licensure under  
14 section 71-1911 and every five years thereafter. For preschools  
15 licensed before the effective date of this act, the director shall  
16 complete the training within three years after such date and every  
17 five years thereafter. Such training shall count toward the annual  
18 training requirement set out in section 37 of this act; and

19           (2) Training in the seven domains of the early childhood  
20 learning guidelines developed by the Early Childhood Training Center.  
21 Any proposed equivalent training shall be approved by the department.  
22 The seven domains are: (a) Approaches to learning, (b) creative arts,  
23 (c) health and physical development, (d) language and literacy  
24 development, (e) mathematics, (f) science, and (g) social and  
25 emotional development. For preschools licensed on or after the

1 effective date of this act, the director shall complete training in  
2 one domain within four years after the date of provisional licensure  
3 under section 71-1911 and one domain annually thereafter. For  
4 preschools licensed before the effective date of this act, the  
5 director shall complete training in one domain within four years  
6 after the effective date of this act and one domain annually  
7 thereafter. Such training shall count toward the annual training  
8 requirement set out in section 37 of this act.

9           Sec. 33. The holder of a license to operate a preschool  
10 shall ensure that teachers employed at the preschool complete the  
11 following training:

12           (1) Training developed by the Early Childhood Training  
13 Center established pursuant to section 79-1102 on sudden infant death  
14 syndrome, safe sleep, shaken baby syndrome, and child abuse and  
15 neglect and reporting. Any proposed equivalent training shall be  
16 approved by the department. Beginning three years after the effective  
17 date of this act, at least fifty percent of all teachers employed by  
18 the preschool shall complete such training. The training shall count  
19 toward the annual training requirement under section 37 of this act;  
20 and

21           (2) Training in the domains of the early childhood  
22 learning guidelines developed by the Early Childhood Training Center.  
23 Any proposed equivalent training shall be approved by the department.  
24 Within four years after the effective date of this act, at least  
25 twenty-five percent of all teachers employed by the preschool shall



1 complete training in at least one domain. Within five years after  
2 such date, fifty percent of all teachers employed by the preschool  
3 shall complete training in at least one domain. Within six years  
4 after such date, seventy-five percent of all teachers employed by the  
5 preschool shall complete training in at least one domain.

6           Sec. 34. The director of a preschool shall maintain a  
7 list for each calendar year of all teachers showing which teachers  
8 have completed:

- 9                   (1) Orientation training;  
10                   (2) Safety training;  
11                   (3) Early learning guidelines training;  
12                   (4) Clock hours of annual training; and  
13                   (5) Cardiopulmonary resuscitation and first-aid training.

14           Sec. 35. When new staff or volunteers begin working at a  
15 licensed preschool, they shall be provided with orientation prior to  
16 having direct responsibility for the care of children. The  
17 orientation shall include:

- 18                   (1) Job duties and responsibilities;  
19                   (2) Infection control practices, including proper hand-  
20 washing techniques, personal hygiene, and disposal of infectious  
21 material;  
22                   (3) Information on abuse, neglect, and sexual abuse of  
23 children and the state's reporting requirements;  
24                   (4) Preschool regulations;  
25                   (5) Evacuation plans in the event of fire;

1                   (6) Safety plans in the event of a tornado;

2                   (7) Emergency preparedness in the event of a natural or  
3 manmade disaster; and

4                   (8) The preschool's method of interacting with children  
5 and discipline policies.

6                   Sec. 36. Persons who transport children on behalf of a  
7 preschool shall:

8                   (1) Receive and maintain a valid certificate of  
9 completion of the "Safe Kids Buckle Up" program within ninety days  
10 after beginning employment and every five years thereafter, except  
11 that persons employed to transport children on behalf of a preschool  
12 before the effective date of this act shall receive and maintain a  
13 valid certificate of completion for "Safe Kids Buckle Up" within one  
14 year after the effective date of this act and every five years  
15 thereafter. Any proposed equivalent training shall be approved by the  
16 department; and

17                   (2) Maintain valid certificates for cardiopulmonary  
18 resuscitation and first-aid training. Persons employed before the  
19 effective date of this act to transport children on behalf of a  
20 preschool shall complete cardiopulmonary resuscitation and first-aid  
21 training within one year after the effective date of this act and  
22 maintain valid certificates thereafter.

23                   Sec. 37. (1) Each employee of a preschool who works more  
24 than twenty hours per week, not including substitutes or volunteers,  
25 shall obtain twelve clock hours of training annually. Employees who

1 work twenty hours or less each week shall complete six clock hours of  
2 training annually.

3 (2) Such training shall include, but not be limited to,  
4 the following topics:

- 5 (a) Safe environments;  
6 (b) Healthy environments;  
7 (c) Learning environments;  
8 (d) Physical development;  
9 (e) Cognitive learning;  
10 (f) Communication;  
11 (g) Creative learning;  
12 (h) Self-esteem;  
13 (i) Social development;  
14 (j) Guidance;  
15 (k) Family relationships;  
16 (l) Program management; and  
17 (m) Professionalism.

18 (3) Audio, video, and reading material specific to one or  
19 more of these training topics shall count toward the annual training  
20 requirement only if an independent learning summary is completed on a  
21 form provided by the department. The actual length of audio and video  
22 material will be counted, and fifty pages of text will be considered  
23 equal to one clock hour of training. Two hours of cardiopulmonary  
24 resuscitation training and one hour of first-aid training shall be  
25 counted in the year that each is taken.

1           Sec. 38. Each clock hour spent participating in any of  
2 the following types of activities shall count toward the annual  
3 training requirement set out in section 37 of this act:

4           (1) Preschool-sponsored training;

5           (2) Workshops and conferences;

6           (3) College courses;

7           (4) Noncredit course work; and

8           (5) Adult education courses.

9           Sec. 39. (1) Cardiopulmonary resuscitation training shall  
10 be obtained from an entity that has been approved by the Board of  
11 Emergency Medical Services. The department shall provide preschool  
12 licensees with information about approved cardiopulmonary  
13 resuscitation courses.

14           (2) At least one staff member of a preschool with current  
15 cardiopulmonary resuscitation and first-aid training shall be on the  
16 premises of the preschool at all times during the hours and days of  
17 operation of the preschool.

18           (3) A current cardiopulmonary resuscitation card and  
19 documentation of first-aid training shall be provided to the  
20 department upon request.

21           Sec. 40. Original section 71-1908, Reissue Revised  
22 Statutes of Nebraska, is repealed.