

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 162

Introduced by Juarez, 5.

Read first time January 13, 2025

Committee: Health and Human Services

- 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 delivers alerts or other notifications during an emergency to
20 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 **Sec. 5.** An educational service unit may apply to the State
8 Department of Education for a grant, using forms and in a manner
9 prescribed by the department, to provide funding to designees operating
10 within the boundaries of an educational service unit. To receive funding,
11 a designee shall enter into a memorandum of understanding with the
12 appropriate educational service unit in the designee's geographic area
13 for the purpose of funding qualifying projects as described in this
14 section. In order to qualify for a grant, the educational service unit
15 shall demonstrate to the department that:

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

25 (2) A security and safety plan approved by the department has been
26 provided by the designee which shall operate the emergency notification
27 system. Such security and safety plan shall include information on a
28 community response team to provide for reunification procedures;

29 (3) A designee is assigned, through a memorandum of understanding,
30 to distribute safety and reunification procedure materials for use in
31 facilities that care for children in child care and early education

1 programs. Funding amounts for designees under this subdivision shall not
2 exceed one thousand dollars per year; and

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

9 **Sec. 6.** (1) On or before December 1 of each year, the State
10 Department of Education shall provide an electronic report to the Clerk
11 of the Legislature which shall include, but not be limited to:

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

17 (b) How grant funds were used;

18 (c) The average amount of grant funds received by designees broken
19 down by the number of children served; and

20 (d) The number of designees denied grant funding and the reasons for
21 each denial.

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

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