

## **Public Acts Recently Enacted**

The following is a list of public acts passed during the 2021 legislative session that are specific to and have direct impact on the Office of Early Childhood's (OEC) child care and/or youth camp licensing programs. This is only a summary. The complete text of each public act should be reviewed and may be accessed by visiting the Connecticut General Assembly's web site at [cga.ct.gov](http://cga.ct.gov).

### **Public Act 21-6 An Act Concerning Immunizations**

Sections 5 and 6 of this Act, effective April 28, 2021, update Connecticut's immunization requirements for students attending a pre-kindergarten or other preschool programs located within child care centers, group child care homes and family child care homes by removing an exemption from this requirement for children who, through a parent or guardian, documented that the immunizations were contrary to the religious beliefs of the parent(s)/guardian or the child. The new law allows children enrolled in grades K-12 who asserted a valid exemption prior to April 28, 2021, to remain exempt from immunization requirements, and children enrolled in pre-kindergarten or other preschool programs who asserted a valid exemption prior to April 28, 2021, to extend the timeframe within which they must comply with the immunization requirement under certain circumstances. The OEC has issued guidance [\[LINK\]](#) concerning the implementation of this new law.

### **Public Act 21-82 An Act Requiring Background Checks for Certain Employees of Youth Camps and Youth Sports Coaches, Trainers and Instructors**

Section 1 of this Act, mandates licensed youth camps to require, as of October 1, 2022, any prospective employee eighteen years or older to submit to a comprehensive background check every five years if the prospective employee has applied for a position that requires the prospective employee to provide care to a child or involves unsupervised access to a child. The Act identifies what such check shall encompass and specifies that any prospective employee who holds a J-1 visa, H-1B visa or R-1 visa issued by the US Department of State shall not be required to submit to a background check. Pending completion of the background check, a prospective employee may begin work provided such employee is supervised at all times by an employee who completed such required background check. Licensees of youth camps are required to notify the OEC immediately if such licensee or any staff employed in a position requiring the provision of care to a child or involving unsupervised access to a child is convicted of a crime identified in the Act. Documentation associated with a comprehensive background check shall be made available to the OEC upon request for five years from the date of completion. This Act also requires OEC to post a list of third party vendors that complete fingerprint based background checks.

### **Public Act 21-171 An Act Concerning Issues Relating to the Provision of Early Childhood Education and Services in Connecticut**

Subsection (b)(2) of Section 1 of this Act, effective July 1, 2021, permits a licensed family child care home provider to use an OEC approved substitute to provide child care for more than one hour per day while the licensee attends a medical appointment, receives medical treatment, or completes education or training. Such use of an approved substitute is permissible and will not constitute a transfer or franchise of the license provided such licensee provides advanced notice to the parents of enrolled children of the dates and times such substitute will be providing child care services and such licensee continues to maintain control of the day-to-day operations of the family child care home.

Subsection (j) of Section 1 of this Act, for the fiscal years ending June 30, 2022 to June 30, 2026, permits the OEC to issue a license to a person or group of persons to maintain a family child care home license outside of a private residence in each of the following cities: New Britain, New Haven, Bridgeport, Stamford, Hartford, Danbury, and Waterbury. No more than one facility in each city shall be approved to be used for such licenses. Such person or group of persons shall have partnered with an entity to provide child care services in a space provided by such entity. Such space shall be approved by the OEC. Applications for such licenses shall require local approvals and additional health and safety conditions required by the OEC. Licenses issued under this provision shall expire on June 30, 2026.

### **Public Act 21-172 An Act Implementing the Recommendations of the Office of Early Childhood**

Section 7 of this Act, effective October 1, 2021, requires that each prospective employee of a child care center or group child care home submit to a comprehensive background check if the prospective employee has applied for a position that requires the provision of care to a child or involves unsupervised access to any child in the program. No such employee may begin working in such child care program until the criminal results of such background check are completed and no employee may work unsupervised with children until all components of the background check are completed.

Section 8 of this Act, effective October 1, 2021, changes the age at which a household member in a family child care home shall submit to a comprehensive background check from sixteen to eighteen years of age.

Section 10 of this Act, effective October 1, 2021, allows for any person required to submit to a comprehensive background check to request a waiver of the requirement to submit fingerprints based on a medical condition, including a birth defect, physical deformity, skin condition, or psychiatric condition.