



LOUISIANA DEPARTMENT OF EDUCATION

November 26, 2019

Child Care Association of Louisiana
P.O. Box 80053
Baton Rouge, LA 70898

RE: EXTENSION OF WAIVER FOR: Part of §1807(A)(B) and (C) on Criminal Background Checks (CBCs) and §1715 (A)(4) in Bulletin 137, *Louisiana Early Learning Center Licensing Regulations*.

Dear Early Learning Centers:

In light of continued statewide server issues we are extending the waiver that was granted on November 21, 2019. The waiver applies to all early learning centers for the underlined parts of §1807(A)(B) and (C) and §1715 (A)(4) of Bulletin 137, which provide as follows:

§1807. CCCBC-Based Determinations of Eligibility for Child Care Purposes Required for Owners, Volunteers, Staff, Visitors, and Contractors of Early Learning Centers

- A. Owners. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each owner prior to submitting an initial application for licensure and shall provide documentation of said determination for each owner with an initial application for licensure. The center shall have documentation of said determinations available at all times for inspection upon request by the department.
- B. Volunteers and Staff. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each volunteer, staff member, or employee of any kind, and shall have documentation of said determinations available at all times for inspection upon request by the department.
- C. Visitors and Contractors. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each visitor or independent contractor of any kind, and shall have documentation of said determination available at all times for inspection upon request by the department, unless the visitor or independent contractor, other than a *therapeutic professional* as defined in §103 of this Part, will be accompanied at all times while at the center when children are present, by an adult staff member who is not being counted in child-to-staff ratios. The center shall have documentation of said determination of eligibility, or documentation of the accompanying staff member, available at all times for inspection upon request by the department.

§1715. Staff Records and Personnel Files

(A)(4). documentation of CCCBC-based determination of eligibility for child care purposes from the department.

This waiver of the aforementioned underlined portions of Bulletin 137 was requested by the Child Care Association of Louisiana so that early learning centers may timely hire necessary staff to ensure the safety

and health of all children in their care and maintain child:staff ratio. The request states that early learning centers are unable to show documentation of CCCBC-based determinations of eligibility for staff, contractors or visitors due to the CCCBC System being affected by the statewide technological problems that occurred on November 18, 2019. The technology issues have not been completely resolved to date.

After careful consideration and review, the waiver has been extended for all early learning centers for parts of §1807(A)(B)(C) and §1715(A)(4) of Bulletin 137, contingent on the following conditions being met at all times for which the waiver is required:

1. A center must fax the department an Emergency New Hire Form with a copy of the new hire's driver's license or state issued identification card; and
2. The center must seek documentation for the CCCBC-based determination of eligibility within five (5) business days of public notice from the department that the CCCBC System has been restored.

THIS WAIVER IS VALID BEGINNING NOVEMBER 18, 2019 AND TERMINATING DECEMBER 6, 2019. IF THE ISSUES LEADING TO THIS WAIVER REMAIN OF CONCERN, THE STATE SUPERINTENDENT MAY TAKE ACTION, AT HIS DISCRETION, TO EXTEND THE WAIVER. ABSENT ANY ACTION BY THE STATE SUPERINTENDENT, THIS WAIVER TERMINATES ON DECEMBER 6, 2019.

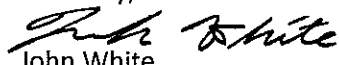
The application of this waiver is contingent upon the center's full and continuous compliance with all of the conditions listed above. A center must adhere to these conditions at all times in order for the waiver to apply and continue to apply. If at any time a center is out of compliance with a condition, the waiver immediately becomes null, and the center may be in violation of the previously waived provision.

The health and safety of the children placed in care outside of the home is of paramount concern to the Department of Education. As such, we appreciate your continued cooperation and compliance with all of the standards provided in Bulletin 137.

This waiver, as with all waivers, is issued at the discretion of the State Superintendent of Education and continues in effect at his pleasure. It may be revoked by the State Superintendent at any time, either upon violation of any condition attached to it at issuance; upon failure of any of the statutory prerequisites to issuance of a waiver, or upon determination that continuance of the waiver is no longer in the best interest of the Department.

Please contact Valerie Black, Director of Child Care Criminal Background Checks, at (225) 342-2716 with any questions or concerns regarding this waiver.

Sincerely,



John White

State Superintendent

Cc: Shelia Campbell, Director of Licensing

Lisa Brochard, Executive Director, Early Childhood

Jessica Baghian, Assistant Superintendent, Early Childhood