

December 8, 1997
ILR 97-D

President R. Lane Beattie
Speaker Melvin R. Brown
Members, Audit Subcommittee
State Capitol Bldg
Salt Lake City UT 84114

Subject: Granite School District's Non-Compliance with Utah Code

Dear Legislators:

We were asked to find out whether Granite School District is abiding by **Utah Code 53A-3-417, *Child Care Centers in Public Schools***. As you know, **Utah Code 53A-3-417** requires all Utah school boards to:

- provide written public notice if they intend to provide child care in their public schools, and
- file a copy of the notice with the Office of Child Care within the Department of Workforce Services and the Department of Health.

According to an Associate at Legislative General Counsel, the notification requirement was designed to make sure people know which schools have child care centers. Counsel said the law requires no penalties or deadlines because it is simply intended to assist those with a responsibility for child care to know which schools have day care and pass this information on to the public. For example, this information might help the Departments make teenage parents who are expecting a child aware of child care options in the schools they are attending.

Contrary to statutory requirements, the Granite School District has not notified the Department of Workforce Services or the Department of Health that they have 3 private day care centers and 11 Salt Lake County day care programs in the district. Granite's Associate Director of Safety and Property told us that he is unaware of the requirement to notify.

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It appears that none of Utah's school boards have notified the appropriate state agencies of their intent to provide child care. In addition, none of the school boards we contacted were aware of the law's notification requirements. Interviews with Workforce Services Child Care Contract Specialist indicate that "there is nothing on file for any school board or district" about their intent to provide child care. In fact, 27 out of Utah's 40 school districts reported having child care centers in their schools, yet it appears that they are not reporting as required.

We also discovered that some school boards and districts are not even aware certain child care centers are operating in their schools. For example, Granite School District officials responsible for overseeing the schools' child care centers were unaware that the district had child care centers operating in certain schools within their district. If school districts and boards do not know which schools have child care centers, it is not surprising that Utah's school districts have failed to comply with the state's notification requirement.

To make sure that the statute is complied with, we recommend that the Dept. of Health notify each of Utah's school district superintendents of the following notification requirements: (1) public notice must be given whenever they intend to provide child care in any of their schools; and, (2) that they notify the state Departments of Workforce Services and Health which schools offer child care services.

We hope this letter provides you with the information you need on this issue. If you have any questions or need additional information, please contact us.

Sincerely,

Wayne L. Welsh
Auditor General

WLW:MJR/lm