

1.1 ..... moves to amend H.F. No. 2078 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 142B.01, is amended to read:

1.4 **142B.01 DEFINITIONS.**

1.5 Subdivision 1. **Scope.** The terms used in this chapter have the meanings given them in  
1.6 this section.

1.7 Subd. 2. **Annual or annually.** With the exception of subdivision 3, "annual" or "annually"  
1.8 means prior to or within the same month of the subsequent calendar year.

1.9 Subd. 3. **Annual or annually; family child care and family child foster care.** For the  
1.10 purposes of family child care under sections 142B.70 to 142B.72 and 142B.74 and family  
1.11 child foster care training, "annual" or "annually" means each calendar year.

1.12 Subd. 4. **Applicant.** "Applicant" means an individual, organization, or government  
1.13 entity, as defined in section 13.02, subdivision 7a, that is subject to licensure under this  
1.14 chapter and that has applied for but not yet been granted a license under this chapter.

1.15 Subd. 5. **Authorized agent.** "Authorized agent" means the controlling individual  
1.16 designated by the license holder responsible for communicating with the commissioner of  
1.17 children, youth, and families on all matters related to this chapter and on whom service of  
1.18 all notices and orders must be made pursuant to section 142B.10, subdivision 1.

1.19 Subd. 6. **Child.** "Child" means a person who has not reached age 18.

1.20 Subd. 7. **Commissioner.** "Commissioner" means the commissioner of children, youth,  
1.21 and families or the commissioner's designated representative including county agencies and  
1.22 private agencies.

2.1 Subd. 8. **Controlling individual.** (a) "Controlling individual" means an owner of a  
2.2 program or service provider licensed under this chapter and the following individuals, if  
2.3 applicable:

2.4 (1) each officer of the organization, including the chief executive officer and chief  
2.5 financial officer;

2.6 (2) the individual designated as the authorized agent under section 142B.10, subdivision  
2.7 1, paragraph (b);

2.8 (3) the individual designated as the compliance officer under section 256B.04, subdivision  
2.9 21, paragraph (g);

2.10 (4) each managerial official whose responsibilities include the direction of the  
2.11 management or policies of a program;

2.12 (5) the individual designated as the primary provider of care for a special family child  
2.13 care program under section 142B.41, subdivision 4, paragraph (d); and

2.14 (6) the president and treasurer of the board of directors of a nonprofit corporation.

2.15 (b) Controlling individual does not include:

2.16 (1) a bank, savings bank, trust company, savings association, credit union, industrial  
2.17 loan and thrift company, investment banking firm, or insurance company unless the entity  
2.18 operates a program directly or through a subsidiary;

2.19 (2) an individual who is a state or federal official, or state or federal employee, or a  
2.20 member or employee of the governing body of a political subdivision of the state or federal  
2.21 government that operates one or more programs, unless the individual is also an officer,  
2.22 owner, or managerial official of the program; receives remuneration from the program; or  
2.23 owns any of the beneficial interests not excluded in this subdivision;

2.24 (3) an individual who owns less than five percent of the outstanding common shares of  
2.25 a corporation:

2.26 (i) whose securities are exempt under section 80A.45, clause (6); or

2.27 (ii) whose transactions are exempt under section 80A.46, clause (2);

2.28 (4) an individual who is a member of an organization exempt from taxation under section  
2.29 290.05, unless the individual is also an officer, owner, or managerial official of the program  
2.30 or owns any of the beneficial interests not excluded in this subdivision. This clause does  
2.31 not exclude from the definition of controlling individual an organization that is exempt from  
2.32 taxation; or

3.1 (5) an employee stock ownership plan trust, or a participant or board member of an  
3.2 employee stock ownership plan, unless the participant or board member is a controlling  
3.3 individual according to paragraph (a).

3.4 (c) For purposes of this subdivision, "managerial official" means an individual who has  
3.5 the decision-making authority related to the operation of the program, and the responsibility  
3.6 for the ongoing management of or direction of the policies, services, or employees of the  
3.7 program. A site director who has no ownership interest in the program is not considered to  
3.8 be a managerial official for purposes of this definition.

3.9 Subd. 9. **County agency.** "County agency" means the agency designated by the county  
3.10 board of commissioners, human services boards, local social services agencies or multicounty  
3.11 local social services agencies, or departments where those have been established under the  
3.12 law.

3.13 Subd. 10. **Cradleboard.** "Cradleboard" means a board or frame on which an infant is  
3.14 secured using blankets or other material, such as fabric or leather sides, and laces and often  
3.15 has a frame extending to protect the infant's head. The infant is always placed with the  
3.16 infant's head facing outward, and the infant remains supervised in the cradleboard while  
3.17 sleeping or being carried.

3.18 Subd. 11. **Drop-in child care program.** "Drop-in child care program" means a  
3.19 nonresidential program of child care in which children participate on a onetime only or  
3.20 occasional basis up to a maximum of 90 hours per child, per month. A drop-in child care  
3.21 program must be licensed under Minnesota Rules governing child care centers. A drop-in  
3.22 child care program must meet one of the following requirements to qualify for the rule  
3.23 exemptions specified in section 142B.41, subdivision 6:

3.24 (1) the drop-in child care program operates in a child care center which houses no child  
3.25 care program except the drop-in child care program;

3.26 (2) the drop-in child care program operates in the same child care center but not during  
3.27 the same hours as a regularly scheduled ongoing child care program with a stable enrollment;  
3.28 or

3.29 (3) the drop-in child care program operates in a child care center at the same time as a  
3.30 regularly scheduled ongoing child care program with a stable enrollment but the program's  
3.31 activities, except for bathroom use and outdoor play, are conducted separately from each  
3.32 other.

4.1 Subd. 12. **Experience.** For purposes of child care centers, "experience" means paid or  
4.2 unpaid employment:

4.3 (1) caring for children as a teacher, assistant teacher, aide, or student intern:

4.4 (i) in a licensed child care center, a licensed family day care or group family day care,  
4.5 or a Tribally licensed child care program in any United States state or territory; or

4.6 (ii) in a public or nonpublic school;

4.7 (2) caring for children as a staff person or unsupervised volunteer in a certified,  
4.8 license-exempt child care center under chapter 142C; or

4.9 (3) providing direct contact services in a home or residential facility serving children  
4.10 with disabilities that requires a background study under section 245C.03.

4.11 Subd. 13. **Family day care and group family day care child age classifications.** (a)  
4.12 For the purposes of family day care and group family day care licensing under this chapter,  
4.13 the following terms have the meanings given them in this subdivision.

4.14 (b) "Newborn" means a child between birth and six weeks old.

4.15 (c) "Infant" means a child who is at least six weeks old but less than 12 months old.

4.16 (d) "Toddler" means a child who is at least 12 months old but less than 24 months old,  
4.17 except that for purposes of specialized infant and toddler family and group family day care,  
4.18 "toddler" means a child who is at least 12 months old but less than 30 months old.

4.19 (e) "Preschooler" means a child who is at least 24 months old up to school age.

4.20 (f) "School age" means a child who is at least five years of age, but is younger than 11  
4.21 years of age.

4.22 Subd. 14. **Foster family setting.** "Foster family setting" has the meaning given in  
4.23 Minnesota Rules, part 2960.3010, subpart 23, and includes settings licensed by the  
4.24 commissioner of children, youth, and families or the commissioner of corrections.

4.25 Subd. 15. **Individual who is related.** "Individual who is related" means a spouse, a  
4.26 parent, a birth or adopted child or stepchild, a stepparent, a stepbrother, a stepsister, a niece,  
4.27 a nephew, an adoptive parent, a grandparent, a sibling, an aunt, an uncle, or a legal guardian.

4.28 Subd. 16. **License.** "License" means a certificate issued by the commissioner under  
4.29 section 142B.10 authorizing the license holder to provide a specified program for a specified  
4.30 period of time and in accordance with the terms of the license and the rules of the  
4.31 commissioner.

5.1 Subd. 17. **License holder.** "License holder" means an individual, organization, or  
5.2 government entity that is legally responsible for the operation of the program or service,  
5.3 and has been granted a license by the commissioner under this chapter and the rules of the  
5.4 commissioner.

5.5 Subd. 18. **Nonresidential program.** "Nonresidential program" means care, supervision,  
5.6 rehabilitation, training, or habilitation of a child provided outside the child's home and  
5.7 provided for fewer than 24 hours a day, including child care programs.

5.8 Subd. 19. **Organization.** "Organization" means a domestic or foreign corporation,  
5.9 nonprofit corporation, limited liability company, partnership, limited partnership, limited  
5.10 liability partnership, association, voluntary association, and any other legal or commercial  
5.11 entity. For purposes of this chapter, organization does not include a government entity.

5.12 Subd. 20. **Owner.** "Owner" means an individual or organization that has a direct or  
5.13 indirect ownership interest of five percent or more in a program licensed under this chapter.  
5.14 For purposes of this subdivision, "direct ownership interest" means the possession of equity  
5.15 in capital, stock, or profits of an organization, and "indirect ownership interest" means a  
5.16 direct ownership interest in an entity that has a direct or indirect ownership interest in a  
5.17 licensed program. For purposes of this chapter, "owner of an employee stock ownership  
5.18 plan" means the president and treasurer of the entity. A government entity or nonprofit  
5.19 corporation that is issued a license under this chapter shall be designated the owner.

5.20 Subd. 21. **Parent cooperative.** "Parent cooperative" means a nonprofit group child care  
5.21 program that is governed by a board that meets regularly and makes all continuing operational  
5.22 decisions about the program. At least 70 percent of the board membership must be  
5.23 parent-users of the program.

5.24 Subd. 22. **Private agency.** "Private agency" means an organization, other than a county  
5.25 agency, or a court with jurisdiction, that places persons who cannot remain in their own  
5.26 homes in residential programs, foster care, or adoptive homes. A private agency is designated  
5.27 to perform the commissioner's licensing functions under section 142B.30.

5.28 Subd. 23. **Residential program.** "Residential program" means a program that provides  
5.29 24-hour-a-day care, supervision, food, or lodging to a child or youth outside of the child or  
5.30 youth's home, including foster care.

5.31 Subd. 24. **Respite care services.** "Respite care services" means temporary services  
5.32 provided to a person due to the absence or need for relief of the primary caregiver, the  
5.33 person's family member, or legal representative who is the primary caregiver and principally  
5.34 responsible for the care and supervision of the person. Respite care services are those that

6.1 provide the level of supervision and care that is necessary to ensure the health and safety  
6.2 of the person. Respite care services do not include services that are specifically directed  
6.3 toward the training and habilitation of the person.

6.4 Subd. 25. **School-age child.** "School-age child," for programs licensed or required to  
6.5 be licensed as a child care center, means a child who is at least of sufficient age to have  
6.6 attended the first day of kindergarten, or is eligible to enter kindergarten within the next  
6.7 four months, but is younger than 13 years of age.

6.8 Subd. 26. **School-age child care program.** "School-age child care program" means a  
6.9 program licensed or required to be licensed as a child care center, serving more than ten  
6.10 children with the primary purpose of providing child care for school age children.

6.11 Subd. 27. **Supervision.** (a) For purposes of licensed child care centers, "supervision"  
6.12 means when a program staff person:

6.13 (1) is accountable for the child's care;

6.14 (2) can intervene to protect the health and safety of the child; and

6.15 (3) is within sight and hearing of the child at all times except as described in paragraphs  
6.16 (b) to (e).

6.17 (b) When an infant is placed in a crib room to sleep, supervision occurs when a program  
6.18 staff person is within sight or hearing of the infant. When supervision of a crib room is  
6.19 provided by sight or hearing, the center must have a plan to address the other supervision  
6.20 components.

6.21 (c) When a single school-age child uses the restroom within the licensed space,  
6.22 supervision occurs when a program staff person has knowledge of the child's activity and  
6.23 location and checks on the child at least every five minutes. When a school-age child uses  
6.24 the restroom outside the licensed space, including but not limited to field trips, supervision  
6.25 occurs when staff accompany children to the restroom.

6.26 (d) When a school-age child leaves the classroom but remains within the licensed space  
6.27 to deliver or retrieve items from the child's personal storage space, supervision occurs when  
6.28 a program staff person has knowledge of the child's activity and location and checks on the  
6.29 child at least every five minutes.

6.30 (e) When a single preschooler uses an individual, private restroom within the classroom  
6.31 with the door closed, supervision occurs when a program staff person has knowledge of the  
6.32 child's activity and location, can hear the child, and checks on the child at least every five  
6.33 minutes.

7.1 Subd. 28. **Youth.** "Youth" means a child as defined in section 260C.007, subdivision 4,  
7.2 and includes individuals under 21 years of age who are in foster care pursuant to section  
7.3 260C.451.

7.4 Subd. 29. **Caregiver.** For purposes of family and group family child care, "caregiver"  
7.5 means the license holder, primary provider of care, helper, substitute, or other adult providing  
7.6 care in the program. Adult caregivers must be at least 18 years old.

7.7 Subd. 30. **Helper.** For purposes of family and group family child care, "helper" means  
7.8 a minor, age 13 years old or older and under 18, who assists an adult caregiver with the care  
7.9 of children.

7.10 Subd. 31. **Substitute.** For purposes of family and group family child care, "substitute"  
7.11 means an adult who is responsible for the duties of a license holder when the license holder  
7.12 is not present at the program for a cumulative total of not more than 500 hours annually.

7.13 Sec. 2. **[142B.68] CHILD CARE CENTER PARENT ACCESS TO PROGRAM.**

7.14 An enrolled child's parent or guardian must have access to the child at any time the child  
7.15 is in attendance at a child care center, unless a court order or other legal documentation  
7.16 restricts access to the child. A copy of any court order or legal documentation must be kept  
7.17 in the child's record.

7.18 Sec. 3. **[142B.69] CHILD CARE CENTER REQUIREMENTS FOR FURNISHINGS,**  
7.19 **EQUIPMENT, AND MATERIALS.**

7.20 Subdivision 1. **General requirement.** (a) A child care center must have furnishings,  
7.21 equipment, and materials as required under this section.

7.22 (b) The furnishings and equipment must not be hazardous objects and must be:

7.23 (1) durable, in good repair, and structurally sound and stable;

7.24 (2) free of sharp edges, dangerous protrusions, points where extremities of a child could  
7.25 be pinched or crushed, and openings or angles that could trap part of a child;

7.26 (3) appropriate for the age and size of children who use the furnishings and equipment;  
7.27 and

7.28 (4) used in accordance with the manufacturer's instructions.

7.29 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
7.30 meanings given them.

8.1 (b) "Cognitive development equipment and materials" means equipment and materials  
8.2 designed to enhance components of intellectual development, such as problem-solving  
8.3 abilities, observation skills, group skills, and symbol recognition.

8.4 (c) "Construction or building materials" means equipment and materials to allow children  
8.5 to build, stack, create, or construct something, such as building blocks, natural materials  
8.6 like sticks or stones, geometric solids, and other connecting or stacking toys.

8.7 (d) "Dramatic play equipment" or "practical life activity equipment" means equipment,  
8.8 such as dress-up clothes, large or miniature play sets, figures, and small and large building  
8.9 blocks that can be used to design a setting or space that stimulates the child's imagination  
8.10 and encourages role-playing and the learning of practical life skills. Practical life skills teach  
8.11 children how to take care of the space around them, and can include setting the table, how  
8.12 to water and care for plants, and how to clean the table.

8.13 (e) "Gross motor or large muscle equipment" means equipment that is designed to  
8.14 enhance large muscle development and coordination, such as outdoor playground equipment,  
8.15 large boxes, large wheel toys, pull toys, balls, jump ropes, and rocking boats.

8.16 (f) "Manipulative equipment" means equipment that is designed to enhance fine motor  
8.17 development and coordination, such as pegs and peg boards, puzzles, beads and strings,  
8.18 and interlocking plastic forms.

8.19 (g) "Sensory or tactile stimulation materials" means equipment, other than pictures, that  
8.20 has different shapes, colors, and textures that are designed to stimulate the child's visual  
8.21 and tactile senses, such as sand and water activity materials, swatches of different textures  
8.22 of cloth, and wooden or plastic items of different shapes and colors.

8.23 (h) "Set" means a collection of toys, items, or materials of sufficient quantity to allow  
8.24 for a single child to engage in meaningful play.

8.25 Subd. 3. **Accessibility of equipment.** (a) Except as provided under paragraph (b), the  
8.26 center must make materials and equipment accessible to children during all hours of operation  
8.27 and in sufficient quantity to serve the number of children in attendance that day.

8.28 (b) Art materials and musical or rhythm instruments may be stored in locations that are  
8.29 not accessible to children when the materials and instruments are not being used, but still  
8.30 must be made available at least once daily.

8.31 Subd. 4. **Requirements for infants.** (a) A center serving infants must have, at a minimum,  
8.32 the following furnishings:

8.33 (1) one area rug, carpeted area, or other soft floor covering per classroom;



9.1 (2) a variety of nonfolding, child-size chairs, including infant seats and high chairs, one  
9.2 per child, or a minimum of four per group;

9.3 (3) one changing table for every group of 12 infants and succeeding group of 12 or fewer  
9.4 infants;

9.5 (4) one hands-free, covered diaper container per changing table;

9.6 (5) one crib and waterproof mattress per child;

9.7 (6) one linear foot of low, open shelving per child and within reach of children; and

9.8 (7) evacuation cribs in sufficient quantity to evacuate the number of infants the program  
9.9 is licensed to serve.

9.10 (b) A center serving infants must have, at a minimum, the following equipment:

9.11 (1) one music source per classroom and music selections appropriate for the music  
9.12 source;

9.13 (2) two single strollers or one multicapacity stroller or wagon;

9.14 (3) two pieces of infant mobility equipment that promote the infant's movement;

9.15 (4) one book per child;

9.16 (5) six building or stacking materials per group;

9.17 (6) two pieces of manipulative equipment per infant such as shape toys and clutch balls;

9.18 (7) one mirror at least 12 inches by 36 inches in size, made of plexiglass or a similar  
9.19 plastic or of safety glass, per group;

9.20 (8) four music-making toys per group;

9.21 (9) four sensory or tactile stimulation items per group; and

9.22 (10) play materials representing a diversity of special needs, disabilities, and cultural  
9.23 and ethnic groups.

9.24 (c) A center serving infants must have, at a minimum, the following supplies:

9.25 (1) two sets of sheets for each crib;

9.26 (2) an adequate amount of disposable paper for the changing table;

9.27 (3) an adequate amount of diapers;

9.28 (4) an adequate amount of facial tissue;

9.29 (5) an adequate amount of single-service towels; and

10.1 (6) an adequate amount of liquid hand soap.

10.2 Subd. 5. Requirements for toddlers. (a) A center serving toddlers must have, at a  
10.3 minimum, the following furnishings:

10.4 (1) one area rug, carpeted area, or other soft floor covering per classroom;

10.5 (2) one nonfolding, child-size chair, including high chairs, per child;

10.6 (3) one changing table for every group of 14 toddlers and succeeding group of 14 or  
10.7 fewer toddlers;

10.8 (4) one hands-free, covered diaper container per changing table;

10.9 (5) one cot per child, except that mats are acceptable for programs operating during the  
10.10 day for less than five hours;

10.11 (6) one linear foot of low, open shelving per child and within reach of children; and

10.12 (7) child-size tables with sufficient space for each child based on the licensed capacity  
10.13 of the center.

10.14 (b) A center serving toddlers must have, at a minimum, the following equipment:

10.15 (1) arts and crafts supplies, such as clay or play dough, tempera or finger paints, colored  
10.16 and white paper, paste, collage materials, paint brushes, washable felt-tip markers, crayons,  
10.17 blunt scissors, and smocks;

10.18 (2) one book per child;

10.19 (3) two sets of construction or building materials per group;

10.20 (4) three pieces of dramatic play equipment or sets of Montessori Practical Life equipment  
10.21 per group, such as a play kitchen, a woodworking bench, or doll furnishings;

10.22 (5) materials and accessories as needed to carry out the theme of the activities under  
10.23 clause (4), such as play food, pots and pans, dishes, or Montessori Practical Life exercises;

10.24 (6) one double easel or art-making station or area per group;

10.25 (7) three pieces of durable, indoor, gross motor or large muscle equipment per group;

10.26 (8) three pieces of durable, outdoor, gross motor or large muscle equipment per group;

10.27 (9) one set of cognitive developmental equipment and materials, such as puzzles and  
10.28 matching games, per child;

10.29 (10) two sets of manipulative equipment per child, such as interlocking plastic forms;

- 11.1 (11) seven musical or rhythm instruments per group;
- 11.2 (12) one mirror at least 12 inches by 36 inches in size, made of plexiglass or a similar  
11.3 plastic or of safety glass, per group;
- 11.4 (13) one music source per classroom and music selections appropriate for the music  
11.5 source;
- 11.6 (14) four sensory or tactile stimulation items per group; and
- 11.7 (15) play materials representing a diversity of special needs, disabilities, and cultural  
11.8 and ethnic groups.
- 11.9 (c) A center serving toddlers must have, at a minimum, an adequate amount of the  
11.10 following supplies: disposable paper for the changing table, diapers, facial tissue,  
11.11 single-service towels, and liquid hand soap.
- 11.12 Subd. 6. Requirements for preschoolers. (a) A center serving preschoolers must have,  
11.13 at a minimum, the following furnishings:
- 11.14 (1) one area rug, carpeted area, or other soft floor covering per classroom;
- 11.15 (2) one nonfolding, child-size chair per child;
- 11.16 (3) one cot per child, except that mats are acceptable for programs operating during the  
11.17 day for less than five hours;
- 11.18 (4) two square feet of wall or bulletin board display space per child, one-half at child's  
11.19 eye level;
- 11.20 (5) one partially enclosed space equipped for quiet activity per group;
- 11.21 (6) one linear foot of low, open shelving per child and within reach of children; and
- 11.22 (7) child-size tables with sufficient space for each child based on the licensed capacity  
11.23 of the center.
- 11.24 (b) A center serving preschoolers must have, at a minimum, the following equipment:
- 11.25 (1) arts and crafts supplies, such as clay or play dough, tempera or finger paints, colored  
11.26 and white paper, paste, collage materials, paint brushes, washable felt-tip markers, crayons,  
11.27 blunt scissors, and smocks;
- 11.28 (2) two books per child;
- 11.29 (3) four sets of construction or building materials per group;

- 12.1 (4) five pieces of dramatic play equipment or sets of Montessori Practical Life equipment  
12.2 per group, such as a play kitchen, a woodworking bench, or doll furnishings;
- 12.3 (5) materials and accessories required as needed to carry out the theme of the activity  
12.4 under clause (4), such as play food, pots and pans, dishes, or Montessori Practical Life  
12.5 exercises;
- 12.6 (6) one double easel or art-making station or area per group;
- 12.7 (7) three pieces of durable, indoor, gross motor or large muscle equipment per group;
- 12.8 (8) three pieces of durable, outdoor, gross motor or large muscle equipment per group;
- 12.9 (9) one set of cognitive developmental equipment and materials, such as puzzles and  
12.10 matching games, per child;
- 12.11 (10) two sets of manipulative equipment per child, such as interlocking plastic forms or  
12.12 blocks, or puzzles;
- 12.13 (11) seven musical or rhythm instruments per group;
- 12.14 (12) pictures at child's eye level, mobiles, and other items as needed to create a pleasant  
12.15 environment and provide sensory stimulation;
- 12.16 (13) one mirror at least 12 inches by 36 inches in size, made of plexiglass or a similar  
12.17 plastic or of safety glass, per group;
- 12.18 (14) one music source per classroom and music selections appropriate for the music  
12.19 source;
- 12.20 (15) four sensory or tactile stimulation items per group; and
- 12.21 (16) play materials representing a diversity of special needs, disabilities, and cultural  
12.22 and ethnic groups.
- 12.23 (c) A center serving preschoolers must have, at a minimum, an adequate amount of the  
12.24 following supplies: facial tissue, single-service towels, and liquid hand soap.
- 12.25 Subd. 7. **Requirements for school-age children.** (a) A center serving school-age children  
12.26 must have, at a minimum, the following furnishings:
- 12.27 (1) one area rug, carpeted area, or other soft floor covering per classroom;
- 12.28 (2) two square feet of wall or bulletin board display space per child, one-half at child's  
12.29 eye level;
- 12.30 (3) one nonfolding, child-size chair per child;

- 13.1 (4) one partially enclosed space equipped for quiet activity per group;
- 13.2 (5) one linear foot of low, open shelving per child and within reach of children; and
- 13.3 (6) child-size tables with sufficient space for each child based on the licensed capacity
- 13.4 of the center.
- 13.5 (b) A center serving school-age children must have, at a minimum, the following
- 13.6 equipment:
- 13.7 (1) arts and crafts supplies, such as clay or play dough, tempera or finger paints, colored
- 13.8 and white paper, paste, collage materials, paint brushes, washable felt-tip markers, crayons,
- 13.9 blunt scissors, and smocks;
- 13.10 (2) two books per child;
- 13.11 (3) four sets of construction or building materials per group;
- 13.12 (4) three pieces of dramatic play equipment or sets of Montessori Practical Life equipment
- 13.13 per group, such as a play kitchen, a woodworking bench, or doll furnishings;
- 13.14 (5) materials and accessories required as needed to carry out the theme of the activity
- 13.15 under clause (4), such as play food, pots and pans, dishes, or Montessori Practical Life
- 13.16 exercises;
- 13.17 (6) three pieces of durable, outdoor, gross motor or large muscle equipment per group;
- 13.18 (7) one set of cognitive developmental equipment and materials, such as puzzles and
- 13.19 matching games, per child;
- 13.20 (8) five sets of manipulative equipment per child, such as interlocking plastic forms or
- 13.21 blocks, or puzzles;
- 13.22 (9) pictures at child's eye level, mobiles, and other items as needed to create a pleasant
- 13.23 environment and provide sensory stimulation;
- 13.24 (10) five musical or rhythm instruments per group;
- 13.25 (11) one music source per classroom and music selections appropriate for the music
- 13.26 source;
- 13.27 (12) ten pieces of sports or recreational equipment, such as bats, balls, hoops, and jump
- 13.28 ropes, per group; and
- 13.29 (13) play materials representing a diversity of special needs, disabilities, and cultural
- 13.30 and ethnic groups.

14.1 (c) A center serving school-age children must have, at a minimum, an adequate amount  
 14.2 of the following supplies: facial tissue, single-service towels, and liquid hand soap.

14.3 **Sec. 4. [142B.761] LICENSED CAPACITY, CHILD TO ADULT RATIOS, AND**  
 14.4 **AGE DISTRIBUTION REQUIREMENTS FOR FAMILY CHILD CARE.**

14.5 **Subdivision 1. Licensed capacity.** (a) Family child care and group family child care  
 14.6 providers must be licensed for the total number of children, ten years of age or younger,  
 14.7 who are present in the residence at any one time.

14.8 (b) The licensed capacity must include all children of any caregiver when the children  
 14.9 are present in the residence, except that up to two of a caregiver's own preschool or  
 14.10 school-age children may be excluded for purposes of licensed capacity.

14.11 **Subd. 2. Supervision and age distribution requirements.** (a) A licensed provider must  
 14.12 be the primary provider of care in the residence. Children in care must be supervised by a  
 14.13 caregiver. The use of a substitute caregiver must be limited to a cumulative total of not more  
 14.14 than 30 days in any 12-month period.

14.15 (b) When a newborn is in care and only one adult caregiver is present, the newborn shall  
 14.16 be the only child under 12 months of age and the provider shall not care for more than two  
 14.17 other children at the same time unless another adult caregiver is also present or the newborn  
 14.18 is the provider's own.

14.19 (c) For specialized infant and toddler group family child care under subdivision 4,  
 14.20 paragraph (e), both caregivers must be adults.

14.21 (d) For group family child care under subdivision 4, paragraph (d), a helper may be used  
 14.22 in place of a second adult caregiver when there is no more than one infant or toddler present.

14.23 **Subd. 3. Child to adult ratios and age restrictions.** (a) Family and group family child  
 14.24 care providers must comply with the requirements and restrictions in this subdivision.

14.25 (b) Family child care:

	<u>Child/Adult Ratio</u>		<u>Age Restrictions</u>	
	<u>Licensed Capacity</u>	<u>Adults</u>	<u>Total children under school age</u>	<u>Total infants and toddlers</u>
14.31 <u>A</u>	<u>10</u>	<u>1</u>	<u>6</u>	<u>Of the total children under school age,</u> 14.32 <u>a combined total of no more than 3</u> 14.33 <u>shall be infants and toddlers. Of this</u> 14.34 <u>total, no more than 2 shall be infants.</u>

15.1 (c) Specialized infant and toddler family child care:

15.2 B1            5            1            3            No more than 3 shall be infants.

15.3 B2            6            1            4            No more than 2 shall be infants.

15.4 (d) Group family child care:

15.5 C1            10            1            8            Of the total children under school age,  
15.6 a combined total of no more than 3  
15.7 shall be infants and toddlers. Of this  
15.8 total, no more than 2 shall be infants.

15.9 C2            12            1            10            Of the total children under school age,  
15.10 a combined total of no more than 2  
15.11 shall be infants and toddlers. Of this  
15.12 total, no more than 1 shall be an  
15.13 infant.

15.14 C3            18            2            10            Of the total children under school age,  
15.15 a combined total of no more than 5  
15.16 shall be infants and toddlers. Of this  
15.17 total, no more than 3 shall be infants.

15.18 (e) Specialized infant and toddler group family child care:

15.19 D            9            2            7            Of the total children, no more than 4  
15.20 shall be infants.

15.21 Sec. 5. Minnesota Statutes 2024, section 142B.77, is amended to read:

15.22 **142B.77 SUPERVISION OF FAMILY CHILD CARE LICENSE HOLDER'S OWN**  
15.23 **CHILD.**

15.24 (a) ~~Notwithstanding Minnesota Rules, part 9502.0365, subpart 5, and~~ With the a family  
15.25 child care license holder's consent, an individual may be present in the licensed space, may  
15.26 ~~supervise~~ care for the ~~family child care~~ license holder's own child both inside and outside  
15.27 of the licensed space, and is exempt from the training and supervision requirements of this  
15.28 chapter and Minnesota Rules, chapter 9502, if the individual:

15.29 (1) is related to the license holder or to the license holder's child, as defined in section  
15.30 142B.01, subdivision 15, or is a household member who the license holder has reported to  
15.31 the county agency;

15.32 (2) is not a designated caregiver, helper, or substitute for the licensed program at the  
15.33 time that they are supervising the license holder's own child;

15.34 (3) is involved only in the care of the license holder's own child; and

16.1 (4) does not have direct, unsupervised contact with any nonrelative children receiving  
16.2 services.

16.3 (b) If the individual in paragraph (a) is not a household member, the individual is also  
16.4 exempt from background study requirements under chapter 245C.

16.5 (c) The following sections do not apply to caregivers with regard to the care of the  
16.6 caregiver's own children in the licensed program:

16.7 (1) Minnesota Rules, part 9502.0395;

16.8 (2) Minnesota Rules, part 9502.0415;

16.9 (3) Minnesota Rules, part 9502.0445; and

16.10 (4) Minnesota Rules, part 9502.0405, subpart 5.

16.11 (d) Notwithstanding paragraph (c), the commissioner may enforce the standards in  
16.12 paragraph (c) when a caregiver's actions toward the caregiver's own child affect the other  
16.13 children in care.

16.14 Sec. 6. **REPEALER.**

16.15 Minnesota Rules, parts 9502.0365; 9502.0367; 9503.0060; and 9503.0095, are repealed."

16.16 Amend the title accordingly