



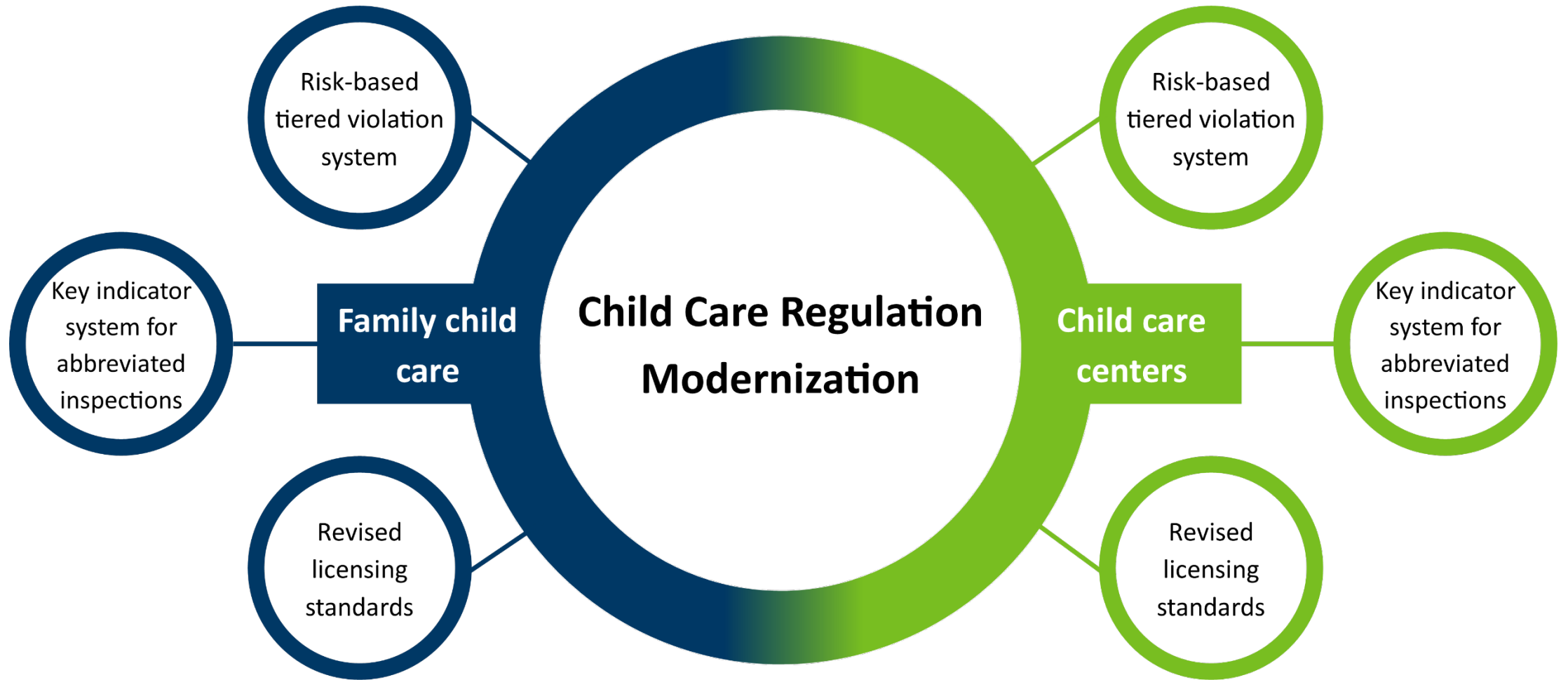
# Child Care Regulation Modernization

Department of Human Services, Office of Inspector General, Licensing Division

March 2025

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# Project at a glance





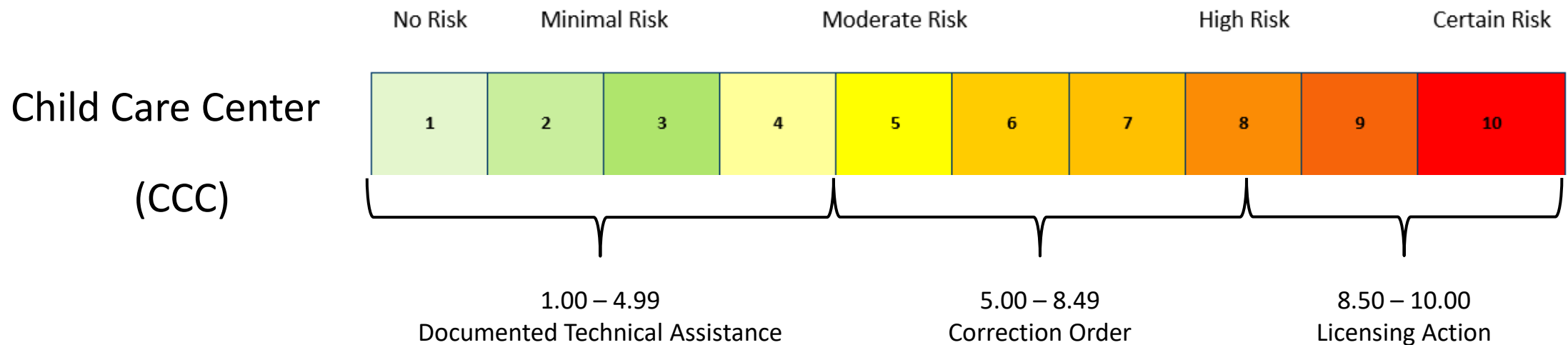
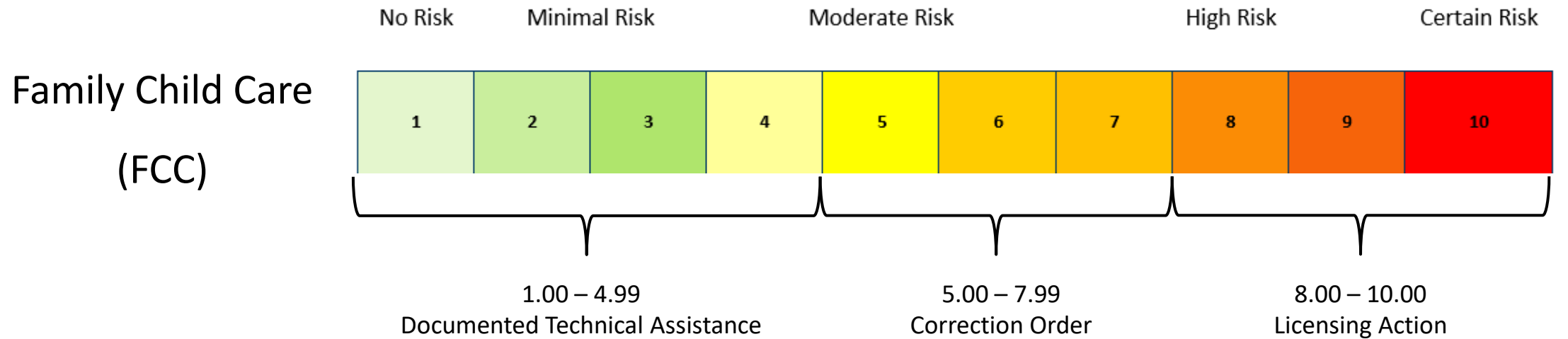
# Weighted risk system



# The weighting process

- Focus groups: Occurred July – September 2022
  - Over 300 Minnesotans participated in focus groups
  - Participants included licensors, providers, parents/guardians/family members, and child care-related organizations
- Weighted risk system assessment: Occurred February – May 2023
  - 1,295 family child care respondents
  - 999 child care center respondents
  - Participants included licensors, providers, parents/guardians/family members, and child care-related organizations

# Weighted risk system – The break down





# Abbreviated inspections



# Abbreviated inspections

- Abbreviated inspections will allow shortened annual inspections for providers who meet eligibility criteria
- Abbreviated inspections will include:

## Key Indicators

A subset of standards which statistically predict compliance

Example:

9502.0435, subp. 15 (a)  
Water temperature must be 120 degrees or lower

## High-Risk Rules

Determined through stakeholder input

Example:

9502.0335, Subpart 2.D can't abuse drugs or other substances

## Supplemental Rules

Determined by federal compliance and DHS

Example:

245A.51, subdivision 1(a) The allergy information in the child's record is current and complete

## Random Rules

5 random rules that do not fall within the categories

Example:

9502.0445, subpart 3 Well-balanced meals and snacks are offered daily.



# Revised licensing standards





# Listening Sessions on Draft 1

- **June – July 2024:** DHS staff participated in over 23 listening sessions (over 950 participants and over 2,498 individual ideas of feedback collected) in-person & virtual.
  - **In Person**
    - St. Cloud
    - Twin Cities – including Spanish and Somali specific sessions
    - Thief River Falls
    - Granite Falls
    - St. Peter
    - Worthington
    - Elk River
  - **Virtual**
    - Southwest Initiative Foundation
    - Northland Foundation
  - **And More!**



# More engagement on Draft 1

- **June 2024:** Six focus groups with county licensors held on a variety of topics
- **June 10, 2024 — July 31, 2024:** Online survey available to anyone to give feedback on the draft standards.
  - Over 1,600 unique respondents across FCC & CCC
- **June — July 2024:** Providers were invited to participate in 1:1 interview with Wilder Research.
  - 329 FCC providers invited > 7 FCC providers participated
  - 220 CCC providers invited > 13 CCC providers participated



# Feedback on Draft 1

- **Key themes report** – Shared November 2024
  - Listening sessions
    - DHS context
    - Key themes of feedback – including direct quotations
    - Summary
  - Interviews and survey takeaways
  - FCC licensor focus groups summaries





- **Draft 2** – Shared in February 2025
  - Draft 2 is **NOT** final language.
  - It is a working document designed to reflect the next step of modernizing the licensing standards.
  - The Child Care Regulation Modernization team invites the child care community, parents, and all other interested parties to ask questions and share feedback regarding Draft 2.
- **Supplemental materials** – Shared with Draft 2
  - Revision Document
  - Significant Changes Summary



Significant changes to both the FCC and CCC drafts



# Both – Cleaning, Sanitizing, & Disinfecting

- **Simplified cleaning requirements**
  - Language which was too prescriptive has been removed – particularly regarding the use of sanitizers and disinfectants.
  - Draft 2 simplifies the requirements by reorganizing the content for clarity, eliminating excessive documentation, and allowing providers more discretion in product usage.



# Both – Program space

- **Scents**

- Language prohibiting use of scented products, aerosol sprays, and other products has been removed.

- **Pets**

- Animals and pet language has been updated to provide greater clarity and simplification.

- **Pests**

- The pest control requirements have been simplified.

# Both – Environmental health

- **Lead**

- Requirement to test for lead in soil has been removed.

- **Water supply**

- Requirements for water supply have been reduced to realign with current requirements.

- **Radon**

- Radon testing requirement retained but simplified.
- Testing is required two years from effective date and every five years thereafter.

# Both – Documentation simplification

## FCC

- Sections where documentation was simplified
  - Behavior Guidance
  - Children with Special Health Care Needs or Disabilities
  - Health Policies and Safety Requirements

## CCC

- Sections where documentation was simplified
  - Behavior Guidance
  - Children with Special Health Care Needs or Disabilities
  - Staff qualifications (experienced aide documentation)



# Family Child Care: Draft 2 Significant Changes



# FCC – Licensed capacity, child and adult ratios

- **Introduction to license class B3:**

- A new license class: B3 – allows capacity of 10 children with 2 adults. Allows 10 children under school age. No more than 6 children may be infants and toddlers, and no more than 4 may be infants.
- License class D has been eliminated – allowed capacity of 9 children with 2 adults. No more than 7 under school age with no more than 4 infants.

- **Updates to license class C3:**

- License class C3 has been increased to 18 children with 2 adults – Allows 10 children under school age. No more than 5 children may be infants and toddlers, and no more than 3 may be infants.
- Previously, the capacity was 14 children with 2 adults. It allowed 10 children under school with a limit of 4 infants and toddlers and no more than 3 infants.

# FCC – Licensed capacity, child and adult ratios continued

- **Additional licensing requirements:**

- To hold a B3 or C3 license class, the license holder must meet certain criteria to ensure the health and safety of children with the expansion of these child-to-adult ratios.
- This criteria includes looking at compliance history and at least four additional hours of annual training in:
  - behavior guidance,
  - child development, and
  - active supervision.



# FCC – Physical space requirements

- **Outdoor fencing:**

- In Draft 1, a continuous fence or natural barrier around the licensed play area was required.
- In Draft 2, the language has been altered to allow programs without a fenced outdoor play space to create and implement a supervision and safety plan.
- Also prohibits children's access to electrical fences.

- **Indoor temperature and humidity:**

- In Draft 1, providers were required to maintain an indoor temperature between 68 – 82 degrees Fahrenheit with humidity controls.
- In Draft 2, this has been realigned with the current requirement of maintaining indoor temperature of at least 62 degrees Fahrenheit and no humidity requirements.

# FCC – Physical space requirements continued

- **Fall zones:**

- In Draft 1, outdoor play equipment designed for climbing, swinging, balancing, and sliding required specific materials and depths for protective surfacing.
- In Draft 2, this requirement was removed in response to significant cost concerns raised by providers.

# FCC – Activities and equipment

- **Flexibility and simplification:**

- In Draft 1, there was a focus on providing detailed lists on what equipment is required for each age group.
- In Draft 2, the equipment lists for infants, toddlers, preschoolers, and school-age children were broadened into categories.

# Child Care Centers: Draft 2 Significant Changes





# CCC – Staff qualifications and education

- Increased flexibility for qualifying as a teacher or assistant teacher, updated with Montessori and Professional Educator Licensing and Standards (PELSB) credential options
- Changes to Experienced Aide qualifications:
  - Aides -> Aide I
  - Experienced Aides -> Aide II
    - no longer required to track how they are used, and
    - required hours of experience reduced from 4,160 to 2,080 hours
- New expanded definition of education

# CCC – Training requirements

- Child Care Basics training: a new training to be developed by DHS and required for all center directors, staff and volunteers.
  - Concept: establish a foundational and free training for those working in centers
- Orientation and Child Care Basics training **may count towards in-service training hours.**

# CCC – Outdoor activity requirements

- Draft 1 specified outdoor activities must be offered for children attending 3+ “daylight hours” per day.
- Draft 2 increases this to children attending for 6+ hours per day.
  - Greater clarity that infants must go outside only “as practicable” based on weather conditions and individual needs.
  - Retains once per day for infant outdoor activity; twice per day for older age groups.
- Aligned outdoor temp. guidelines with MDH outdoor play guidance.

# CCC – Furnishings, equipment, materials, and supplies

- **Accessibility of equipment language updates**

- Clarified distinction between what equipment must be available on-site, versus the requirement to have sufficient equipment for children attending care on a given day.
- Clarified that materials may be stored in inaccessible locations at certain times of day (art supplies and musical instruments).

- **Other clarifying updates**

- removed duplicate or confusing items.



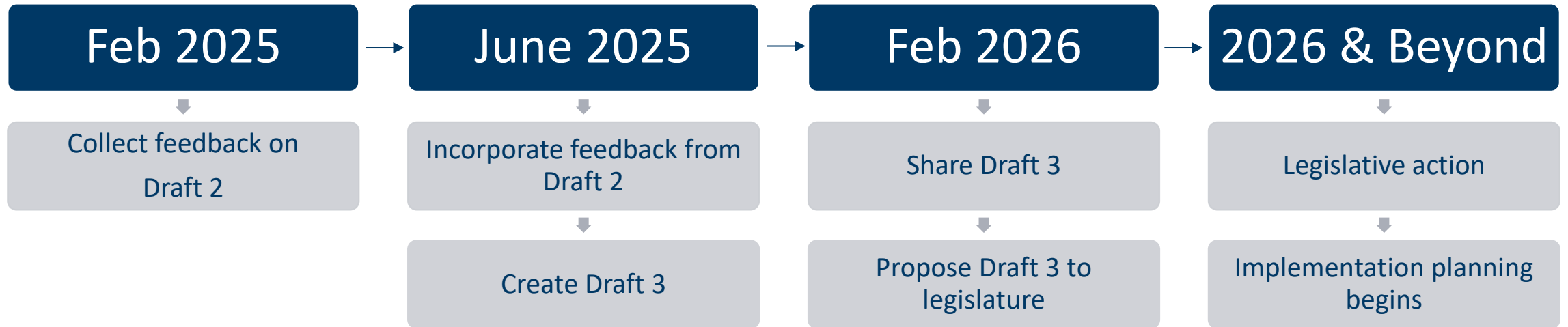
# Next Steps



# Public engagement on Draft 2 is ongoing

- DHS hosted 4 info sessions the week of Feb 24<sup>th</sup> (2 for FCC, 2 for CCC).
- 429 attendees across all sessions (247 for FCC, 182 for CCC).
- On average, the webinar satisfaction rating was a 3.95 out of 5 for all participants.
  - 80% of family child care session participants were very satisfied or satisfied
  - 70% of child care center session participants were very satisfied or satisfied

# Child Care Revised Licensing Standards Timeline





# Upcoming engagement opportunities

## **Next steps we know now:**

- Meeting with child care provider associations to discuss their feedback and concerns.
- Developing a parent survey to solicit their input on what is most important to them in child care licensing.

## **Coming next:**

- Based on responses to post-info session survey, plan out additional provider engagement opportunities to occur in March – June 2025.

# Thank You!

Email the project team: [CCRegModernization.DHS@state.mn.us](mailto:CCRegModernization.DHS@state.mn.us)

Project website: [Child Care Regulation Modernization / Minnesota Department of Human Services \(mn.gov\)](https://www.mn.gov/child-care-regulation-modernization)