

1.1 Senator moves to amend S.F. No. 2135 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 142B.16, subdivision 2, is amended to read:

1.4 Subd. 2. **Reconsideration of correction orders.** (a) If the applicant or license holder
1.5 believes that the contents of the commissioner's correction order are in error, the applicant
1.6 or license holder may ask the Department of Children, Youth, and Families to reconsider
1.7 the parts of the correction order that are alleged to be in error. The request for reconsideration
1.8 must be made in writing and must be postmarked and sent to the commissioner within 20
1.9 calendar days after receipt of the correction order under this paragraph or receipt of the
1.10 interpretive guidance under paragraph (c) by the applicant or license holder or submitted
1.11 in the provider licensing and reporting hub within 20 calendar days from the date the
1.12 commissioner issued the order under this paragraph or provided the interpretive guidance
1.13 under paragraph (c) through the hub, and:

1.14 (1) specify the parts of the correction order that are alleged to be in error;

1.15 (2) explain why they are in error; and

1.16 (3) include documentation to support the allegation of error.

1.17 Upon implementation of the provider licensing and reporting hub, the provider must use
1.18 the hub to request reconsideration under this paragraph or to request interpretive guidance
1.19 under paragraph (c). A request for reconsideration does not stay any provisions or
1.20 requirements of the correction order. The commissioner's disposition of a request for
1.21 reconsideration is final and not subject to appeal under chapter 14.

1.22 (b) This paragraph applies only to licensed family child care providers. A licensed family
1.23 child care provider who requests reconsideration of a correction order under paragraph (a)
1.24 may also request, on a form and in the manner prescribed by the commissioner, that the
1.25 commissioner expedite the review if:

1.26 (1) the provider is challenging a violation and provides a description of how complying
1.27 with the corrective action for that violation would require the substantial expenditure of
1.28 funds or a significant change to their program; and

1.29 (2) describes what actions the provider will take in lieu of the corrective action ordered
1.30 to ensure the health and safety of children in care pending the commissioner's review of the
1.31 correction order.

(c) Prior to a request for reconsideration under paragraph (a), if the applicant or license holder believes that the applicable rule or statute is ambiguous or the commissioner's interpretation of the applicable rule or statute is in error, the applicant or license holder may ask the Department of Children, Youth, and Families to provide interpretive guidance on the applicable rule or statute underlying the correction order.

Sec. 2. OFFICE OF EARLY CARE AND EDUCATION PROGRAM SUPPORT AND ACCOUNTABILITY.

Subdivision 1. Establishment. The commissioner of children, youth, and families must establish the Office of Early Care and Education Program Support and Accountability within the Department of Children, Youth, and Families.

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

(b) "Accreditation" means recognition by an industry-recognized professional association.

(c) "Office" means the Office of Early Care and Education Program Support and Accountability within the Department of Children, Youth, and Families.

(d) "Peer coach" means an accredited center director, lead teacher, or family child care provider who is compensated.

Subd. 3. Licensing regulations. (a) The office, in consultation with stakeholders, must develop child care licensing regulations that focus on basic physical health and safety and that include:

(1) minimum safety requirements for child care facilities;

(2) basic health and hygiene practices;

(3) a minimum age for staff;

(4) staff-to-child ratios; and

(5) a process for background studies for child care staff.

(b) By January 15, 2026, the office must submit to the chairs and ranking minority members of the legislative committees with jurisdiction over early care and learning proposed legislation that codifies the regulations developed under this subdivision.

Subd. 4. Early care and education program designation. (a) The office, in consultation with stakeholders, must create an early care and education program designation for child care providers that includes:

(1) the requirement that programs meet the regulations developed by the office in subdivision 3; and

(2) a requirement that programs have attained and are maintaining accreditation by an approved industry-recognized professional association.

(b) By January 15, 2026, the office must submit to the chairs and ranking minority members of the legislative committees with jurisdiction over early care and learning proposed legislation that codifies the early care and education program designation.

Subd. 5. **Transitional designation.** The office must create a time-limited designation for child care programs that are licensed but have not yet received the early care and education program designation. The transitional designation must only be awarded to a child care program that:

(1) meets the regulations developed by the office in subdivision 3;

(2) meets a minimum set of program features, determined by the office, which are easily validated and deemed necessary to safeguard children's developmental health and safety; and

(3) is actively working toward the early care and education program designation.

Subd. 6. **Trusted caregiver definition.** The office must develop a definition of "trusted caregiver" that includes individuals excluded from licensure who provide regular child care for children not yet enrolled in kindergarten under the guidance of the children's families.

Subd. 7. **Industry-recognized professional associations.** The office must develop a process for determining a list of professional associations that provide early care and education program accreditation. In order to be included in the list, an association must:

(1) be an established organization that represents and engages early childhood educators as part of its core operation;

(2) define early care and education quality in alignment with the Minnesota early childhood indicators of progress;

(3) routinely update its standards based on developing research in the field and feedback from early educators; and

(4) have trained and reliable assessors monitor and assess compliance with accreditation standards.

Subd. 8. **Evaluation and continuous improvement.** The office must establish an evaluation and continuous improvement process that includes:

4.1 (1) the monitoring and evaluation of outcomes for children and their families that are
4.2 tracked over time. This must include:

4.3 (i) monitoring and evaluating, for children, their health and well-being, developmental
4.4 delays or other risk factors, learning and development across developmental domains, later
4.5 special education placement, and early grade retention and attendance;

4.6 (ii) data gathered under Minnesota Statutes, section 124D.162;

4.7 (iii) monitoring and evaluating caregiver health and well-being, access to and use of
4.8 supports, household income, and employment status; and

4.9 (iv) the consideration of the broader family and community context, including
4.10 socioeconomic factors, factors related to race and ethnicity, and the availability of resources;
4.11 and

4.12 (2) periodic audits that assess the efficiency and effectiveness of the support and
4.13 accountability system developed under subdivision 9. These audits must include:

4.14 (i) a licensing analysis that includes the average time taken to receive and renew a license,
4.15 the frequency and severity of violations, trends in violation types over time, and a comparison
4.16 of violation rates before and after the implementation of the support and accountability
4.17 system;

4.18 (ii) ongoing reporting on provider progress in obtaining the early care and education
4.19 program designation, including the time taken to receive the designation, the number of
4.20 providers who receive the designation, and any barriers faced by providers. This information
4.21 must be broken out by program type; the race and ethnicity of the provider, program leader,
4.22 and staff; geography; and the type of accreditation; and

4.23 (iii) assessments of the effectiveness of the support teams in subdivision 9 and the
4.24 additional supports offered to providers under this section. These assessments must include
4.25 information on provider satisfaction in their interactions with the support teams, the impact
4.26 of coaching and technical assistance on provider compliance and quality improvement, and
4.27 the effectiveness of any supports offered under this section that help providers attain and
4.28 maintain the early care and education program designation.

4.29 Subd. 9. **Support and accountability system.** (a) The office must develop a system for
4.30 ensuring support and accountability for child care providers and this system must include
4.31 support teams. Each support team must include:

4.32 (1) an expert on the child care licensing regulations in subdivision 3;

(2) an expert with experience in meeting children's developmental needs and attaining industry-recognized standards of practice; and

(3) a peer coach with experience working in licensed child care centers or as a licensed family child care provider.

(b) A member of a support team may fulfill more than one role, but each support team must have at least two individuals.

(c) Each support team must:

(1) conduct site visits of licensed child care centers and licensed family child care providers to ensure compliance, as necessary;

(2) provide coaching, technical assistance, and training to help child care providers comply with the child care regulations in subdivision 3 and all requirements under this section; and

(3) assist the commissioner of children, youth, and families with the initial granting of child care licenses and any ongoing license maintenance checks.

(d) Each child care provider must be assigned to a support team.

Subd. 10. **Resources and support.** The office must provide resources for parents and caregivers that must include:

(1) a well-maintained and regularly updated public website that contains simple and clear information for parents on each child care provider option, including what assurance and accountability the state can provide;

(2) information and resources on supporting healthy child development; and

(3) individual program profiles for any licensed child care program, including the location of the program, the cost, slot availability, and basic program characteristics.

Subd. 11. **Additional supports.** The office must make additional supports available, as needed, to ensure child care programs are compliant with this section. These may include, but are not limited to, professional development for child care staff, grants for child care providers, and covering fees and other costs associated with attaining the early care and education program designation. In making additional supports available, the office must, to the extent practicable, rely on the support teams created in subdivision 9 to determine awards and compliance.

Subd. 12. **Guidance.** The office must develop clear, simple, and direct guidance, including interpretive guidance, on the rules, regulations, and consequences for any

violations. This guidance must be regularly communicated to the support teams created in subdivision 9 and by the support teams to child care programs.

Sec. 3. DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND FAMILIES; AMENDING THE DEFINITION OF EDUCATION.

The commissioner of children, youth, and families must amend Minnesota Rules, part 9503.0030, subpart 1, item B, to include any accredited coursework from an accredited postsecondary institution that can reasonably be shown to be relevant to any skill necessary to meet the qualifications of a teacher.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; BACKGROUND STUDY LIAISON.

By August 1, 2025, the commissioner of human services must designate a permanent child care background study liaison within the background studies division at the Department of Human Services who must timely communicate with licensed child care centers and family child care providers about the background study process. The liaison must ensure child care center license holders and family child care providers receive accurate and timely information about the status of submitted background studies and must communicate to the commissioner about any necessary changes to better facilitate the timely processing of background studies.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND FAMILIES; STANDARDIZED LICENSING VISIT TIMELINE AND REQUIREMENTS.

(a) The commissioner of children, youth, and families must, in consultation with stakeholders, develop and implement a standardized timeline and standards for the conduct of licensors when conducting inspections of licensed child care centers. The timeline and standards developed by the commissioner must clearly identify:

(1) the steps of a licensing visit;

(2) the expectations for licensors and license holders before, during, and after the licensing visit;

(3) the standards of conduct that licensors must follow during a visit;

- 7.1 (4) the rights of license holders;
- 7.2 (5) when and how license holders can request technical assistance; and
- 7.3 (6) a process for license holders to request additional review of an issue related to the
- 7.4 licensing visit from someone other than the assigned licenser.

7.5 (b) The timeline and standards must be implemented by January 1, 2026.

7.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

7.7 **Sec. 6. DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND**

7.8 **FAMILIES; STANDARDIZED COUNTY-DELEGATED LICENSING.**

7.9 By January 1, 2026, the commissioner of children, youth, and families must:

7.10 (1) develop consistent and effective training methods and ways of sharing information

7.11 with family child care county licensers, including written guidance that is easily accessible;

7.12 (2) require county licensers to attend or review any recorded training information and

7.13 develop a means for county licensers to demonstrate knowledge when any new information

7.14 is issued;

7.15 (3) create a system to document and distribute historic and ongoing interpretations to

7.16 all county licensers;

7.17 (4) within ten business days of sharing information with county licensers, also share

7.18 that information with family child care providers;

7.19 (5) establish timeframes for county licensers to respond to time-sensitive or urgent

7.20 requests and implement a system to track response times to the requests; and

7.21 (6) require county licensers to use the electronic licensing inspection tool during an

7.22 inspection of a family child care provider and to complete the inspection report on-site with

7.23 the license holder, including direct communication related to any correction orders issued.

7.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

7.25 **Sec. 7. DIRECTION TO THE COMMISSIONER OF CHILDREN, YOUTH, AND**

7.26 **FAMILIES; CHILD CARE PROVIDER SUPPORT WEBSITE.**

7.27 (a) The commissioner of children, youth, and families must develop and maintain a

7.28 single, comprehensive public website that:

7.29 (1) provides information on all child care provider supports available in the state;

- 8.1 (2) streamlines support programs to ensure clarity and ease of access for providers; and
- 8.2 (3) allows for easy enrollment in support programs by child care providers.
- 8.3 (b) The commissioner of children, youth, and families must make all documentation
- 8.4 gathered during the development of the website under this section publicly available. This
- 8.5 documentation may include, but is not limited to:
- 8.6 (1) information on each provider support option;
- 8.7 (2) the funding source for each provider support option;
- 8.8 (3) the cost of each provider support option;
- 8.9 (4) whether each provider support option is administered by the commissioner of children,
- 8.10 youth, and families or a third party; and
- 8.11 (5) a detailed explanation of how each provider support option can assist providers in
- 8.12 achieving an early care and education program designation.
- 8.13 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 8.14 Amend the title accordingly