



# Minnesota Family Child Care Task Force

## Legislative Report

February 2021

**For more information contact:**

Minnesota Department of Human Services

Licensing Division

P.O. Box 64242

St. Paul, MN 55164-0242

651-431-6500



For accessible formats of this information or assistance with additional equal access to human services, write to [DHS.info@state.mn.us](mailto:DHS.info@state.mn.us), call 651-431-6500, or use your preferred relay service. ADA1 (2-18)

Minnesota Statutes, Chapter 3.197, requires the disclosure of the cost to prepare this report. The estimated cost of preparing this report is \$5,060.

*Printed with a minimum of 10 percent post-consumer material. Please recycle.*

# Contents

- Family Child Care Task Force Membership ..... 4
- I. Executive summary..... 5
- II. Legislation..... 10
- III. Introduction..... 13
  - Purpose of report ..... 13
  - Topics Discussed ..... 13
- IV. Report recommendations ..... 15
  - Duty #1 ..... 15
  - Duty #2 ..... 15
  - Duty #3 ..... 18
  - Duty #4 ..... 19
  - Duty #5 ..... 21
  - Duty #6 ..... 25
  - Duty #7 ..... 27
  - Duty #8 ..... 29
- V. Appendix A: Task force meeting materials list ..... 31

# Family Child Care Task Force Membership

Ann McCully, Child Care Aware of Minnesota	Hollee Saville, licensed family child care provider from Greater Minnesota	Marit Woods, parent of a child enrolled in a family child care program
Ariane Bromberg, representing DHS-recognized family child care associations from Greater Minnesota	JoAnn Smith, parent of a child enrolled in a family child care program	Representative Ami Wazlawik, Co-chair
Dan Dorman, Greater Minnesota Partnership	Julie Seydel, Minnesota Association of Child Care Professionals	Representative Lisa Demuth
Department of Human Services Commissioner’s Designee: Cindi Yang or Reggie Wagner	Kelly Martini, representing DHS-recognized family child care associations from Greater Minnesota	Scott Marquardt, representing the Minnesota Initiative Foundations
Erin Echternach, parent of a child enrolled in a family child care program	Kim Leipold, metropolitan area representative, Association of Minnesota Child Care Licensors	Senator Mary Kiffmeyer, Co- chair
Erin Johnson-Balstad, parent of a child enrolled in a family child care program	Lanay Miller, Greater Minnesota representative, Association of Minnesota Child Care Licensors	Stephanie Hogenson, Minnesota Children’s Cabinet
Heidi Hagel Braid, First Children’s Finance	Lauryn Schothorst, Minnesota Chamber of Commerce	Tiffany Grant, licensed family child care provider from the metropolitan area (through Spring 2020)
Liz Harris, licensed family child care provider from the metropolitan area	Mary Albert, licensed family child care provider from the metropolitan area (beginning Summer 2020)	

# I. Executive summary

The Family Child Care Task Force was created by the Minnesota Legislature in 2019 to discuss and make recommendations related to family child care licensing and the Parent Aware program. This report was submitted by the Family Child Care Task Force pursuant to Minnesota Laws 2019, 1st Special Session, Chapter 9, Art. 2, Sec. 132. This summary restates the duties assigned to this task force and the corresponding recommendations. The task force did not examine cost implications for these recommendations.

**Duty One:** Identify difficulties that providers face regarding licensing and inspection, including specific licensing requirements that have led to the closure of family child care programs, by reviewing previous survey results and conducting follow-up surveys, if necessary;

**Duty Two:** Propose regulatory reforms to improve licensing efficiency, including discussion of criteria that would qualify a provider for an abbreviated licensing review based on statistically significant key indicators that predict full compliance with all applicable rules and statutes, and discussion of the development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation.

- 2.1. Legislation for full and abbreviated licensing reviews based on statistically significant key indicators that predict full compliance with all applicable rules and statutes. Developed with stakeholders, to include licensed family child care providers, DHS, licensors, and legislators, with input from parents and early childhood advocates.
- 2.2. Legislation for development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation. Developed with stakeholders, to include licensed family child care providers, DHS, licensors, and legislators. Creating a tiered- violation system is dependent on developing updated and modernized standards for Family Child Care.
- 2.3. Legislation should include using a national expert on this subject such as Dr Fiene. Consider a non-profit source of funding.
- 2.4. Develop a continuous licensing process with input from licensors and providers.
- 2.5. Modernize and update licensing standards for Family Child Care in Rule 2 and statutes.
- 2.6. Regarding recommendation 2.3, work with the national expert to develop legislative action and work with stakeholders.
- 2.7. In developing a process for full and abbreviated licensing inspections, research best practices for key indicators and the inspections process by reviewing indicators other states have used.
- 2.8. Review county licensing website and update to allow for easy access to information on how to become a licensed Family Child Care Provider.
- 2.9. Review county licensing forms and their use.
- 2.10. Support the legislative process and subsequent work. Maintain continued involvement in stakeholder groups and legislative actions as needed.
- 2.11. Support the legislative process and subsequent work.
- 2.12. Maintain continued involvement in stakeholder groups and legislative action as needed.

- 2.13 Streamline and eliminate unnecessary paperwork by allowing licensing forms to be transmitted and stored electronically. Consider development of a centralized and secure portal.

**Duty Three:** Review existing variance authority delegated to counties and recommend changes, if needed.

- 3.1. Change the liability that hinders granting variances, including working with counties and providers to consider how to best modify the terms of liability from county licensors and counties for knowledge of noncompliance with licensing standards. The goals of this would be to better equalize and increase access to allowable variances among counties while protecting the health, safety and development of children in care.
- 3.2. Require counties to post on their websites information about the process for applying for a variance and the circumstances under which it will be considered.<sup>1</sup>
- 3.3. Require counties to distribute to license holders information about the process for applying for a variance and the circumstances under which it will be considered.<sup>2</sup>
- 3.4. Continue to collaborate with counties to develop best practices for counties and licensors on the circumstances under which variances are or are not appropriate.
- 3.5. Communicate with County Attorneys and County Boards to educate and encourage use of variances.
- 3.6. Collaborate with counties to develop guidance and training for licensors to ensure that licensors and counties understand alternatives to variances.
- 3.7. Create a uniform variance form to be used by all Minnesota counties.<sup>3</sup>

**Duty Four:** Recommend business development and technical assistance resources to promote provider recruitment and retention, including the potential need for mentors, a family child care provider network, or shared services.

- 4.1. Develop a one-stop-shop with navigators/technical assistance specialists to help child care providers start up and navigate the system and to provide referrals to child care and business specialists at the organizations that provide supports, with an exploration of how this can be deployed at a regional level to maximize connections to more localized resources. Although this would likely have a website/electronic component, the key element for success is access to “human capital” and the ability to talk with a person. Additionally, at the state-level, this effort would aim to improve alignment of state agencies that have regulatory oversight of child care providers and support providers in navigating these requirements, including the state departments of Human Services, Labor and Industry, Employment and Economic Development, Health, and Public Safety (State Fire Marshal Division).

---

<sup>1</sup> This requirement was passed in 2020 and is in process.

<sup>2</sup> This requirement was passed in 2020 and is in process.

<sup>3</sup> This recommendation was passed in 2020 and is in progress.

- 4.2. Develop a recommended/suggested orientation training curriculum for incoming family child care providers, developed in partnership with licensed family child care providers, counties, and DHS, to ensure all new family child care providers have the same critical baseline information.
- 4.3. Increase investments in business training, consultation and related services to help providers build and strengthen their businesses and acquire key business skills, such as tax planning, money management, and other aspects of running a business.
- 4.4. Provide funding for forgivable loans, microloans, grants, and guarantees for licensed family child care providers, including the potential for more expensive investments, such as home remodeling, in addition to evaluating existing public finance programs for potential policy/eligibility modifications which can better support family child care entrepreneurs.
- 4.5. Provide better marketing and communication and more funding for TEACH Early Childhood scholarships<sup>4</sup> and REETAIN bonuses.
- 4.6. Build on existing shared services pilot efforts to help family child care providers pilot shared services collaborations to test ways to create economies of scale through different combinations of shared services. This should include innovation grants and helping existing shared services pilot initiatives reach the next level.
- 4.7. Create the infrastructure needed to support family child care mentors, coaches and consultants, and allow family child care providers to access support and receive credit toward their career lattice, credentials, and training hours for Licensing and Parent Aware. A mechanism is needed to recognize individuals in these roles and allow them to document their hours in a system. Supports are needed to help associations offer these services to members, and to support all mentors, coaches and consultants to provide quality services, and to facilitate payment or documented volunteer hours, as appropriate.
- 4.8. Provide high school and higher education pathways to train and credential future family child care providers and encourage qualified existing providers to stay in the field.

**Duty Five:** Develop recommendations for alternative child care delivery systems that could be more financially viable in smaller communities with unmet child care capacity needs in greater Minnesota, which could include new licensure models for large group family child care or small capacity child care centers.

- 5.1. Clarify that “family child care” is child care provided in the license holder’s own residence, the license holder is the primary caregiver and can hold only one family child care license.
- 5.2. Clarify that “special family child care” means a provider that is operating in a residential setting other than their own home.
- 5.3. Reclassify existing non-residential based “special family child care” to a new license type for programs currently operating under Section 245A.14, subd. 4, paragraphs b - h and create a new section in Chapter 245A. Clarify that these programs will continue to be governed by Minnesota Rules, chapter 9502; monitored by county licensing agencies under Section 245A.16 and may not exceed licensed capacity of 14.

---

<sup>4</sup> For more information about the TEACH Early Childhood Minnesota scholarship program, go to <https://www.childcareawaremn.org/providers/grants-and-scholarships/teach-scholarships/>.

- 5.4. Modify current statute to allow an employer who holds a special family child care license under 245A.14, subd. 4, paragraph (b) to operate up to a total of 4 licensed programs for the benefit of the license holder's employees.
- 5.6. Modify current statute to allow a church or religious organization who holds a special family child care license under 245A.14, subd. 4, paragraph (c) to operate up to a total of 4 licensed programs in the same building.
- 5.7. Provide financial supports, tax credits or bonds to support communities and businesses in purchasing, renovating or leasing properties for child care facilities, including leveraging underused space in anchor institutions such as nursing homes, hospitals, religious facilities, etc. Prioritize these supports to existing providers seeking to expand or modify their program. [*Note: this recommendation is not only for the legislature/public investment and is recommended to also be provided through private or philanthropic investment*]
- 5.8. Convene a workgroup during 2021-22 to identify new models of large group, small center child care in nonresidential settings that are not currently allowed under existing statutes.
- 5.9. Increase awareness and provide technical assistance to licensed providers, businesses and communities to understand licensing distinctions between licensed in-home family child care, "special family child care" and child care centers.
- 5.10. Assist current providers, businesses and communities in understanding current flexibilities allowed under the current category of "special family child care" for small scale facility options, including the ability to allow multiple licensed family child care providers to operate independently under one roof.
- 5.11. Increase awareness and provide technical assistance to licensed providers, businesses and communities to understand licensing distinctions between licensed in-home family child care, "special family child care" and child care centers.
- 5.12. Assist current providers, businesses and communities in understanding current flexibilities allowed under the current category of "special family child care" for small scale facility options, including the ability to allow multiple licensed family child care providers to operate independently under one roof.

**Duty Six:** Review Parent Aware program participation and identify obstacles and suggested improvements.

- 6.1. Provide funding for a validation study of Parent Aware. Require that the validation study is completed before making updates to the current Parent Aware Standards and Indicators.
- 6.2. Create ways for family child care providers to be directly connected to Parent Aware on an ongoing basis, such as serving on the Parent Aware Advisory Committee, and providing more opportunities for family child care providers to provide input into standards, pathways, and supports for family child care providers participating in Parent Aware.
- 6.3 Streamline the number of forms and documents that need to be completed to provide evidence for the Parent Aware indicators as part of the Quality Documentation Portfolio (QDP).
- 6.4. Improve the effectiveness of the Parent Aware coaching process through consistent messaging related to support options and acceptable evidence.
- 6.5. Review and revise Parent Aware forms and related materials to include common language that reflects the characteristics and experiences of family child care providers, including creation of a separate Quality Documentation Portfolio (QDP) specifically for family child care providers.
- 6.6. Improve the process and structure for online Quality Documentation Portfolio (QDP) submission in the Develop data system.

- 6.7. Incorporate relevant Family Child Care Task Force recommendations into the CCDF Plan for federal fiscal year (FFY) 2022-2024.
- 6.8. Communicate the voluntary nature of Parent Aware to parents with greater clarity and in a manner that does not convey that no rating equals poor quality.

**Duty Seven:** Review how trainings for licensed family child care providers are offered, provided, coordinated, and approved, and make a recommendation on the establishment of a family child care continuing education training committee, to advise on compliance with federal and state training requirements.

- 7.1 Create a Family Child Care Training Advisory Committee with the following criteria: maximum of 15 members, of whom a majority are licensed family child care providers, including some providers chosen by statewide and local family child care associations. The remaining members must include individuals with expertise in child development, instructional design and/or training delivery. In addition, there should be members of diverse cultural communities. Appointment provisions should be similar to those used in the Family Child Care Task Force law. The Committee should meet a minimum of two times per year, with length of terms, length of advisory committee, duties, committee oversight and funding to DHS for advisory committee operations outlined in legislation. The advisory committee will provide recommendations to the DHS commissioner on family child care training requirements. DHS must present these recommendations to the legislature.
- 7.2. Expand active supervision training options for providers.
- 7.3 Explore creating an option to allow for adult helpers under direct supervision of the licensed provider. Adult helpers should have the same training requirements as the current helper category, as long as those requirements are in compliance with federal regulations.
- 7.4 Providers approved as trainers through the Develop data system may count up to two of the hours they spend delivering training to early childhood caregivers/educators towards their annual required 16 training hours. The provider may only claim training hours for the first time they deliver that content-specific training during each annual licensing year. Hours accrued as training must be approved through the Develop data system with attendance verified on the trainer's individual learning record and must be in KCF area VII A (Establishing Healthy Practices) or B (Ensuring Safety).

**Duty Eight:** Consider methods to improve access to and understanding of the rules and statutes governing family child care providers.

- 8.1. Reintroduce the Ombudsperson bill. The position should be independent and not in DHS. This should not replace providers' current relationship and progress with DHS.
- 8.2. Communication about rules, statutes, and state/federal regulations and any changes to them should (at least) come from DHS. Continue the implementation plans.
- 8.3. Add language block to DHS forms providers are required to complete. As resources permit, translate those required forms.
- 8.4. Maintain a list of email addresses for family child care providers who have provided an email address and update annually.
- 8.5. Send a postcard mailing from DHS to existing providers for whom DHS does not have an active e-mail address with information on where to find and ask questions on the most critical/commonly requested information.

- 8.7. Add a search function to the "Ask DHS" page that includes frequently asked questions/common topics and include previous answers given by DHS or a link to the applicable section of Rule 2 or statute. A search query on the page would populate a list of search results containing the term the visitor used.
- 8.8. Work with providers and licensors to develop a plain language training offered by DHS to help providers learn how to access, read, and understand the rules and statutes.
- 8.9. Offer meetings with stakeholders about any proposed legislation before the legislative session begins. Inform all providers about these meetings.
- 8.10. Continue to update the "Guide to Becoming a Licensed Family Child Care Provider" to reflect legislative changes.
- 8.11. Place links to DHS forms and information online to ensure they are up-to-date and to save time.
- 8.12. Maintain an accurate list of every family child care provider in the county with an email address. Ensure that these contacts are shared with DHS frequently.
- 8.13. Possibly add a pop-up on the county "child care provider" page if there are any updates to rules, statutes, or forms.
- 8.14. Providers need to be involved in family child care meetings, plans, hearings, etc. and keep their contact information, including email address if applicable, updated with their licensor to ensure they receive and review necessary information and resources.

## II. Legislation

Minnesota Laws 2019, 1st Special Session, Chapter 9, Art. 2, Sec. 132 established the Family Child Care Task Force.

### Sec. 132. FAMILY CHILD CARE TASK FORCE.

Subdivision 1. **Membership.** (a) The Family Child Care Task Force shall consist of 25 members, appointed as follows:

- (1) two members representing family child care providers from greater Minnesota, including one appointed by the speaker of the house and one appointed by the senate majority leader;
- (2) two members representing family care providers from the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, including one appointed by the speaker of the house and one appointed by the senate majority leader;
- (3) one member appointed by the Minnesota Association of Child Care Professionals;
- (4) one member appointed by the Minnesota Child Care Provider Information Network;
- (5) two members from the house of representatives, including one appointed by the speaker of the house and one appointed by the minority leader;
- (6) two members from the senate, including one appointed by the senate majority leader and one appointed by the senate minority leader;
- (7) the commissioner of human services or designee;
- (8) two members representing Department of Human Services-recognized family child care associations from greater Minnesota, appointed by the commissioner of human services;
- (9) two members appointed by the Association of Minnesota Child Care Licensors, including one

from greater Minnesota and one from the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2;

- (10) four parents of children enrolled in family child care programs, appointed by the commissioner of human services;
- (11) one member appointed by the Greater Minnesota Partnership;
- (12) one member appointed by the Minnesota Chamber of Commerce;
- (13) one member appointed by Child Care Aware of Minnesota;
- (14) one member appointed by the Minnesota Initiative Foundation;
- (15) one member appointed by Minnesota's Children's Cabinet; and
- (16) one member appointed by First Children's Finance.

(b) Appointments to the task force must be made by July 15, 2019.

Subd. 2. **Compensation.** Public members of the task force may be compensated as provided by Minnesota Statutes, section 15.059, subdivision 3.

Subd. 3. **Duties.** The task force shall:

- 1. identify difficulties that providers face regarding licensing and inspection, including specific licensing requirements that have led to the closure of family child care programs, by reviewing previous survey results and conducting follow-up surveys, if necessary;
- 2. propose regulatory reforms to improve licensing efficiency, including discussion of criteria that would qualify a provider for an abbreviated licensing review based on statistically significant key indicators that predict full compliance with all applicable rules and statutes, and discussion of the development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation;
- 3. review existing variance authority delegated to counties and recommend changes, if needed;
- 4. recommend business development and technical assistance resources to promote provider recruitment and retention, including the potential need for mentors, a family child care provider network, or shared services;
- 5. develop recommendations for alternative child care delivery systems that could be more financially viable in smaller communities with unmet child care capacity needs in greater Minnesota, which could include new licensure models for large group family child care or small capacity child care centers;
- 6. review Parent Aware program participation and identify obstacles and suggested improvements;
- 7. review how trainings for licensed family child care providers are offered, provided, coordinated, and approved, and make a recommendation on the establishment of a family child care continuing education training committee, to advise on compliance with federal and state training requirements; and
- 8. consider methods to improve access to and understanding of the rules and statutes governing family child care providers.

Subd. 4. **Officers; meetings.** (a) The task force shall be cochaired by the task force member from the majority party of the house of representatives and the task force member from the majority party of the senate, and may elect other officers as necessary.

(b) The commissioner of human services shall convene the first meeting by August 15, 2019.

(c) The cochairs shall alternate possession of the gavel between meetings.

(d) Each meeting shall be moderated by a neutral third-party facilitator.

(e) The agenda for each meeting shall be determined by the cochairs, the commissioner of human services or designee, and the facilitator.

(f) Meetings of the task force are subject to the Minnesota Open Meeting Law under Minnesota Statutes, chapter 13D.

Subd. 5. **Report required.** The task force shall submit an interim written report by March 1, 2020, and a final written report by February 1, 2021, to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over child care. The reports shall explain the task force's findings and recommendations relating to each of the duties under subdivision 3, and include any draft legislation necessary to implement the recommendations.

Subd. 6. **Expiration.** The task force expires upon submission of the final report in subdivision 5 or February 1, 2021, whichever is later.

# III. Introduction

## Purpose of report

The Family Child Care Task Force was created by the Minnesota Legislature in 2019 to discuss and make recommendations related to family child care licensing and the Parent Aware program. This report was submitted by the Family Child Care Task Force pursuant to Minnesota Laws 2019, 1st Special Session, Chapter 9, Art. 2, Sec. 132.

## Topics discussed

### PHASE ONE: TASK FORCE LAUNCH THROUGH ISSUANCE OF INTERIM REPORT

During phase one, the Family Child Care Task Force met in person six times. The meeting agendas, audio recordings, transcripts, and other meeting materials for each meeting are available on the [Minnesota Family Child Care Task Force website](#). Meeting agenda and meeting materials are also listed in Appendix A.

At the first meeting on September 19, 2019, the Task Force reviewed the duties assigned to them in the enacting legislation and prioritized which to focus on prior to this Interim Report. They prioritized:

*Duty #1: Identify difficulties that providers face regarding licensing and inspection, including specific licensing requirements that have led to the closure of family child care programs, by reviewing previous survey results and conducting follow-up surveys, if necessary.*

*Duty #2: Propose regulatory reforms to improve licensing efficiency, including discussion of criteria that would qualify a provider for an abbreviated licensing review based on statistically significant key indicators that predict full compliance with all applicable rules and statutes, and discussion of the development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation.*

*Duty #3: Review existing variance authority delegated to counties and recommend changes, if needed.*

*Duty #5: Develop recommendations for alternative child care delivery systems that could be more financially viable in smaller communities with unmet child care capacity needs in greater Minnesota, which could include new licensure models for large group family child care or small capacity child care centers.*

The next meetings were held on the following dates and focused on the following duties:

- October 12, 2019: Duties 1 and 3
- November 12, 2019: Duties 1, 2, and 3
- December 16, 2019: Duty 1
- January 14, 2020: Duties 1 and 3
- February 4, 2020: Discussed and approved the interim report

Due to time constraints, the Task Force did not discuss Duty 5.

The Task Force did not hold meetings during the 2020 legislative session. It resumed meetings on the Webex virtual meeting platform in June 2020.

#### **PHASE TWO: TASK FORCE VIRTUAL MEETINGS JUNE 2020 – JANUARY 2021**

Meetings resumed in June 2020. Agendas were structured to assure that each of the duties that had not been discussed in Phase One would have an initial discussion. Task force members volunteered to participate in working groups that would then discuss duties in depth and develop recommendations for full task force consideration. Each work group was provided an opportunity to present their thought process and recommendations to the full group. The remaining meetings focused on finalizing recommendations and report language. While it was recognized that some recommendations for legislative changes or Department of Human Services action may have cost implications, those implications were not discussed in detail or for all recommendations and are not addressed in this report.

Meetings were held on the following dates and discussed the following:

- June 23, 2020: Review of survey results from former licensed family child care providers; discussion of use of remaining meetings
- July 21, 2020: Work group launch information; initial discussion of Duty 7
- August 18, 2020: Initial discussion of Duties 5 and 6; work group presentation Duty 8
- September 22, 2020: Continued discussion of work group recommendations for Duty 8
- October 20, 2020: Work group presentation and recommendations discussion for duties 4, 5 and 7
- October 27, 2020: Work group presentation and recommendations discussion for duties 2 and 6
- November 17, 2020: Full task force review of draft report
- December 8, 2020: Full task force review of draft report
- January 12, 2021: Full task force review of draft report
- January 28, 2021: Final approval of draft report

The list of meeting materials including meeting agendas, meeting minutes, and work group presentations are in Appendix A on page 31.

# IV. Report recommendations

## Duty #1

***Identify difficulties that providers face regarding licensing and inspection, including specific licensing requirements that have led to the closure of family child care programs, by reviewing previous survey results and conducting follow-up surveys, if necessary.***

After reviewing [summary results of prior surveys](#) conducted of former licensed family child care providers, task force members agreed that a survey of providers who have closed their licenses should be conducted. The Task Force discussed the survey questions and methodology at several meetings.

Minnesota Management and Budget's (MMB) Results Management Team partnered with the Minnesota's Children's Cabinet to conduct a survey of former family child care providers, based upon Task Force discussions. The survey was conducted in February 2020 and the Task Force reviewed the survey results in June 2020. The survey had a total of 226 respondents.<sup>5</sup>

Key themes from the survey respondents include:

- Almost half of providers started their business primarily to either raise or provide child care for their own children.
- The factors that most providers said had high impacts on closing were complying with regulations, completing paperwork and documentation, and a lack of benefits (e.g., health insurance).
- The most utilized supports were the Child and Adult Care Food Program, Child Care Assistance, and Parent Award Grants.
- The supports that would have most helped keep providers in business longer were a greater availability of substitutes, grants to fund professional development, curriculum, equipment, or home improvement expenses, and business supports (tax information, setting rates, etc.).

## Duty #2

***Propose regulatory reforms to improve licensing efficiency, including discussion of criteria that would qualify a provider for an abbreviated licensing review based on statistically significant key indicators that predict full compliance with all applicable rules and statutes, and discussion of the development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation.***

---

<sup>5</sup> For the full Former Licensed Family Child Care Provider Survey report, go to [https://mn.gov/dhs/assets/Former-family-child-care-provider-survey-expanded-report\\_tcm1053-437906.pdf](https://mn.gov/dhs/assets/Former-family-child-care-provider-survey-expanded-report_tcm1053-437906.pdf).

Surveys reviewed by the task force show that the loss of thousands of licensed family child care providers over the last decade is predominantly due to burdensome regulations, licensing inconsistencies, and increased paperwork. Providers have requested clear expectations, consistency, and fairness in enforcement of the rules and regulations in place to protect them.

In 2019, the Task Force had a presentation from Dr. Rick Fiene, Research Psychologist and retired Professor of Psychology at Penn State University, a leading international researcher/scholar on licensing measurement and differential monitoring systems. He described how other states are replacing their licensing framework with a risk-based violation system. In this type of system, licensing standards are categorized based upon the risk of harm that a violation would pose to the children in care. There are tiers of enforcement mechanisms, so that the sanction for a violation reflects the risk that a violation posed to children. For example, in a risk-based violation licensing system, a family child care provider could receive technical assistance for violating a licensing standard that poses a low risk of harm to children in care, and a steep fine for a violation that poses a significant risk of harm. A paper written by Dr. Fiene, “Contemporary Issues in Licensing: Monitoring Strategies for Determining Compliance: Differential Monitoring, Risk Assessment and Key Indicators,” described risk-based violation licensing systems being used in Ohio, Oklahoma, Florida, Texas, and Utah.<sup>6</sup> Task Force members also suggested that Colorado’s system be examined, as a model that Minnesota may not want to copy.

Dr. Fiene also described licensing systems that include abbreviated inspections for providers with a history of being in compliance. Currently, licensors look at more than 100 items during a typical family child care provider’s annual licensing inspection. With abbreviated inspections, in contrast, the licensor monitors historically compliant child care providers using a shortened list of licensing standards. The items on the abbreviated list are carefully chosen using a statistical analysis developed by Dr. Fiene so that providers who are in compliance with the shortened list of items can be presumed to also be in substantial compliance with all of the licensing requirements. When conducting an abbreviated inspection, if the licensor finds that the provider was out-of-compliance with any of the items on the shortened list, the licensor would then conduct a full inspection. Dr. Fiene’s paper described abbreviated inspections in use in Washington State and North Carolina.

As part of the Interim Report, the Task Force recommended that the Legislature authorize funding for a consultant to work with the Task Force to develop a model for a risk-based violation licensing system, as described by Dr. Fiene, after new licensing standards for family child care providers have been developed; and add abbreviated inspections to the family child care licensing model, as described by Dr. Fiene.

In 2020, a task force work group further discussed Duty #2. The work group considered how to improve licensing efficiency, development of a risk-based, data-driven, tiered violation system with enforcement mechanisms that are relative to the risk from a violation.

---

<sup>6</sup> For an electronic version of the report, go to [https://mn.gov/dhs/assets/Background-on-abbreviated-inspections-and-tiered-violations\\_tcm1053-409874.pdf](https://mn.gov/dhs/assets/Background-on-abbreviated-inspections-and-tiered-violations_tcm1053-409874.pdf).

## **Duty 2 Recommendations**

### **Recommendations for LEGISLATIVE ACTION**

2.1. Legislation for full and abbreviated licensing reviews based on statistically significant key indicators that predict full compliance with all applicable rules and statutes. Developed with stakeholders, to include licensed family child care providers, DHS, licensors, and legislators, with input from parents and early childhood advocates.

2.2. Legislation for development of a risk-based, data-driven, tiered violation system with corresponding enforcement mechanisms that are appropriate to the risk presented by a violation. Developed with stakeholders, to include licensed family child care providers, DHS, licensors, and legislators. Creating a tiered-violation system is dependent on developing updated and modernized standards for Family Child Care.

2.3. Legislation should include using a national expert on this subject such as Dr. Fiene. Consider a non-profit source of funding.

### **Recommendations for DHS**

2.4. Develop a continuous licensing process with input from licensors and providers.

2.5. Modernize and update licensing standards for Family Child Care in Rule 2 and statutes.

2.6. Regarding recommendation 2.3, work with the national expert to develop legislative action and work with stakeholders.

2.7. In developing a process for full and abbreviated licensing inspections, research best practices for key indicators and the inspections process by reviewing indicators other states have used.

### **Recommendations for COUNTIES**

2.8. Review county licensing website and update to allow for easy access to information on how to become a licensed Family Child Care Provider.

2.9. Review county licensing forms and their use.

2.10. Support the legislative process and subsequent work. Maintain continued involvement in stakeholder groups and legislative actions as needed.

### **Recommendations for PROVIDERS**

2.11. Support the legislative process and subsequent work.

2.12. Maintain continued involvement in stakeholder groups and legislative action as needed.

## **Joint DHS/COUNTY recommendation**

2.13 Streamline and eliminate unnecessary paperwork by allowing licensing forms to be transmitted and stored electronically. Consider development of a centralized and secure portal.

## **Duty #3**

### ***Review existing variance authority delegated to counties and recommend changes, if needed.***

Several members of the Task Force, including the county licensors, the licensed family child care providers and the DHS representative, brought firsthand knowledge about variances to the Task Force discussion. In addition, the Task Force heard from Matt Freeman, the Executive Director of the Minnesota Association of County Social Service Administrators (MACSSA), about that organization's position on variances.

A variance is written permission by the commissioner or the county licensing agency for a licensed family child care provider or applicant to depart from the standards required by Rule 9502. Providers must explain how they will otherwise ensure the health, safety, and protection of children in care.

With limited exceptions, family child care providers make requests to counties, who have the final say. (See MN Statutes 245A.16, subd.1 outlining authority delegated to counties.) Counties do not report data about variances to DHS. If a county denies a request for a variance, a family child care provider cannot appeal the decision. With 87 counties, there are differences among the counties about when variances are considered and what criteria are used in reaching a decision.

In addition, state statutes relating to county civil liability includes a provision that holds counties liable when a licensor has actual knowledge that a licensed family child care provider failed to meet a licensing standard that resulted in a dangerous condition. Some task force members have pointed to this law as part of what has made some counties reluctant to grant variances to the rules governing family child care providers.

## **Duty 3 Recommendations:**

### **Recommendations for LEGISLATIVE ACTION**

3.1. Change the liability that hinders granting variances, including working with counties and providers to consider how to best modify the terms of liability from county licensors and counties for knowledge of noncompliance with licensing standards. The goals of this would be to better equalize and increase access to allowable variances among counties while protecting the health, safety and development of children in care.

3.2. Require counties to post on their websites information about the process for applying for a variance and the circumstances under which it will be considered.<sup>7</sup>

---

<sup>7</sup> This requirement was passed in 2020 and is in process.

3.3. Require counties to distribute to license holders information about the process for applying for a variance and the circumstances under which it will be considered.<sup>8</sup>

### **Recommendations for DHS**

3.4. Continue to collaborate with counties to develop best practices for counties and licensors on the circumstances under which variances are or are not appropriate.

3.5. Communicate with County Attorneys and County Boards to educate and encourage use of variances.

3.6. Collaborate with counties to develop guidance and training for licensors to ensure that licensors and counties understand alternatives to variances.

3.7. Create a uniform variance form to be used by all Minnesota counties.<sup>9</sup>

## **Duty #4**

***Recommend business development and technical assistance resources to promote provider recruitment and retention, including the potential need for mentors, a family child care provider network, or shared services.***

As noted in the survey results, providers can experience a lack of support regarding the business of child care. The skills and information needed to successfully establish and maintain a family child care business go beyond – and are substantially different from – the core service aspects of child safety, care and development. Support and information are needed in the areas of financial management, insurance, planning, legal safeguards, and other issues.

The Duty #4 work group discussed key issues and questions regarding business development and technical assistance resources, focusing on these questions:

- How do we enhance the business of family child care?
- How can program policy changes and/or additional investments in business development and technical assistance resources help retain more providers?
- How do we foster more mentoring for providers (formal versus informal; paid or uncompensated)?
- What are the challenges facing existing associations and networks?
- How do we define shared services?
- How do we increase awareness of the resources available?

---

<sup>8</sup> This requirement was passed in 2020 and is in process.

<sup>9</sup> This recommendation was passed in 2020 and is in progress.

As part of the discussion, the work groups examined existing models such as the Department of Employment and Economic Development's (DEED) Minnesota Business First Stop program<sup>10</sup>, and DHS's Relationship Based Professional Development (RBPD) process for coach, consultant, and mentor approval as examples that might be followed or built upon.

Access to child care is an important component to a healthy economy. As such, it is important that local government officials and businesses understand the need to proactively support family child care providers. Training is needed for tax preparers, business advisors, financial advisors, commercial lenders, insurers, and others who serve child care providers to support these essential child care services. Cross-sector conversations between business, governments, non-profits and academia will be needed to foster this support.

## **Duty 4 Recommendations**

### **Recommendations for LEGISLATIVE ACTION**

- 4.1. Develop a one-stop-shop with navigators/technical assistance specialists to help child care providers start up and navigate the system and to provide referrals to child care and business specialists at the organizations that provide supports, with an exploration of how this can be deployed at a regional level to maximize connections to more localized resources. Although this would likely have a website/electronic component, the key element for success is access to "human capital" and the ability to talk with a person. Additionally, at the state-level, this effort would aim to improve alignment of state agencies that have regulatory oversight of child care providers and support providers in navigating these requirements, including the state departments of Human Services, Labor and Industry, Employment and Economic Development, Health, and Public Safety (State Fire Marshal Division).
- 4.2. Develop a recommended/suggested orientation training curriculum for incoming family child care providers, developed in partnership with licensed family child care providers, counties, and DHS, to ensure all new family child care providers have the same critical baseline information.
- 4.3. Increase investments in business training, consultation and related services to help providers build and strengthen their businesses and acquire key business skills, such as tax planning, money management, and other aspects of running a business.
- 4.4. Provide funding for forgivable loans, microloans, grants, and guarantees for licensed family child care providers, including the potential for more expensive investments, such as home remodeling, in addition to evaluating existing public finance programs for potential policy/eligibility modifications which can better support family child care entrepreneurs.

---

<sup>10</sup> For more information about the Minnesota Business First Stop program, go to <https://mn.gov/deed/business/help/first-stop/>.

4.5. Provide better marketing and communication and more funding for TEACH Early Childhood scholarships<sup>11</sup> and REETAIN bonuses.

4.6. Build on existing shared services pilot efforts to help family child care providers pilot shared services collaborations to test ways to create economies of scale through different combinations of shared services. This should include innovation grants and helping existing shared services pilot initiatives reach the next level.

### **Recommendations for DHS**

4.7. Create the infrastructure needed to support family child care mentors, coaches and consultants, and allow family child care providers to access support and receive credit toward their career lattice, credentials, and training hours for Licensing and Parent Aware. A mechanism is needed to recognize individuals in these roles and allow them to document their hours in a system. Supports are needed to help associations offer these services to members, and to support all mentors, coaches and consultants to provide quality services, and to facilitate payment or documented volunteer hours, as appropriate.

4.8. Provide high school and higher education pathways to train and credential future family child care providers and encourage qualified existing providers to stay in the field.

## **Duty #5**

***Develop recommendations for alternative child care delivery systems that could be more financially viable in smaller communities with unmet child care capacity needs in greater Minnesota, which could include new licensure models for large group family child care or small capacity child care centers.***

Unmet child care need across Minnesota affects business access to adequate workforce, family access to economic stability and children's access to stable early care and learning environments important to their development. Unmet child care capacity is also an opportunity to support current and prospective child care businesses, especially existing family child care providers. The total number of family child care providers in Minnesota has been declining for almost two decades. Since 2003, Minnesota has experienced a yearly net loss of licensed family providers. The largest contributing factor to this decrease is a shortage of new licensed family child care providers entering the field, as the rate of providers exiting licensure has remained steady. This demonstrates a need to consider innovative ways to bring new providers into the field while continuing to support existing providers to remain in business. Communities and existing child care providers have shown an increased interest in alternative child care delivery models to meet their child care needs especially by considering supporting new providers in entering the field, meeting start-up and ongoing costs, and facilities requirements. Most communities across the state have leveraged alternative options for providing child care outside the license holder's own home but on a much smaller scale than a typical center allowed under the

---

<sup>11</sup> For more information about the TEACH Early Childhood Minnesota scholarship program, go to <https://www.childcareawaremn.org/providers/grants-and-scholarships/teach-scholarships/>.

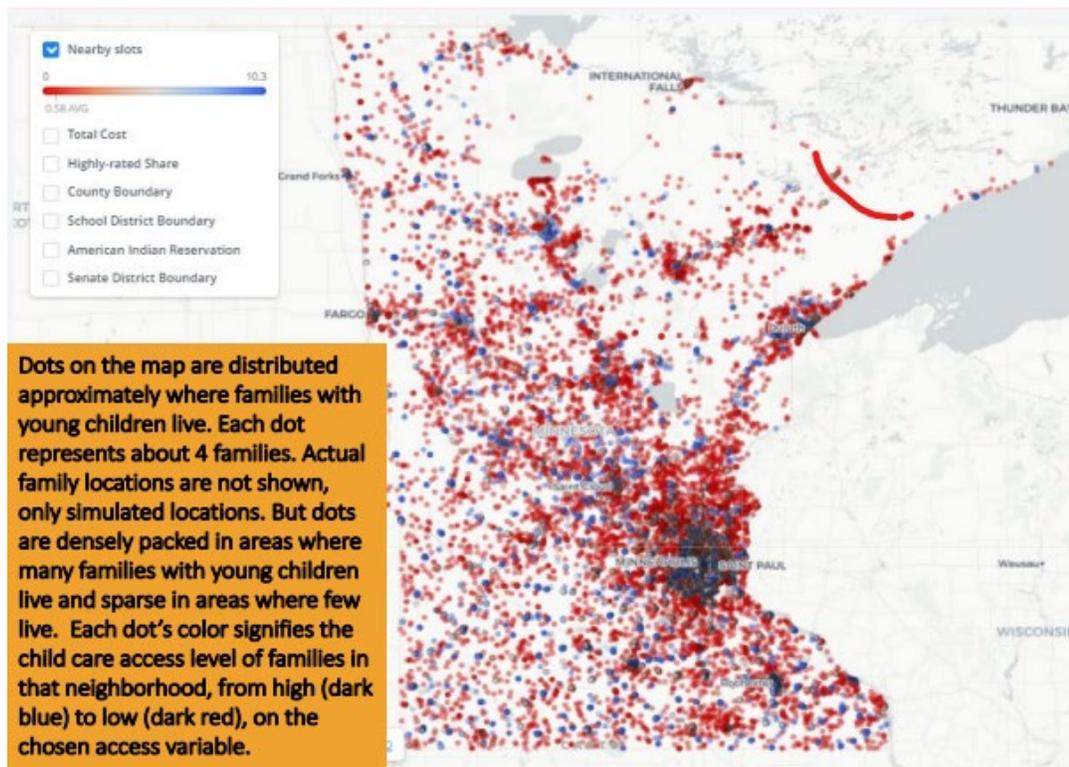
Special Family Child Care provisions in current law, and there is additional demand for alternative options, especially in rural Minnesota.

Minnesota Statutes, chapter 245A allow several types of licensed family child care. The most common model involves a family child care license holder who is the primary provider of care and provides care for children in their home.

Other family child care models currently allowed under Minnesota Statutes, section 245A.14, subd. 4 are called special family child care. Special family child care is located somewhere other than the license holder's home, including non-residential settings such as churches, schools, and employer-based settings, and co-located family child care (the "pod model") – where multiple licensed family child care programs operate in the same building. A special family child care program's location may impact requirements of other programs, including the U.S. Department of Agriculture's Child and Adult Care Food Program.

As with other small businesses, there can be economic challenges to starting and maintaining a childcare business, and the availability of child care in non-Metropolitan areas is challenging. Alternative models recommended in this report are one component of addressing unmet child care need. Other recommendations in this report that support existing and prospective family child care providers are a critical part of the solution as well. The following illustration shows the challenge of availability across the state.

Figure 1. Map of distribution of families with young children living in Minnesota<sup>12</sup>



Other states use a variety of approaches that are not currently allowed in Minnesota. The ones reviewed by the Duty 5 work group include:

- North Dakota's Group License Model: This model works on a point-based and square footage ratio system. It allows different age groups to co-mingle and has the potential to work well in rural communities.<sup>13</sup> More information about North Dakota's Group License model is listed below.
  - Group License Start-up guide (<https://ndchildcare.org/start/group/>)
  - Center license ratio information (<https://ndchildcare.org/providers/staff.html>)
  - Group child care ratio and group sizes (<https://ndchildcare.org/providers/business/ratios.html>)
- South Dakota's Group Family Child Care: The model allows 13 to 20 children, including children under the age of six living in the home and children from more than one unrelated family, to be cared for in a family home or any approved facility.<sup>14</sup>

<sup>12</sup> Map created with mapping tool at [childcareaccess.org](http://childcareaccess.org).

<sup>13</sup> For more information about North Dakota's group child care early childhood services definitions, go to <https://www.legis.nd.gov/information/acdata/pdf/75-03-09.pdf>.

<sup>14</sup> For more information about South Dakota's licensed group family day care homes, day care centers, and before- and after-school programs, go to <https://dss.sd.gov/childcare/licensing/licensed.aspx#groupfamily>.

- Montana’s Group Home Child Care model: The model allows a program to serve up to six children under the age of two, which could help alleviate the infant care shortage.<sup>15</sup>
- Iowa’s models: Iowa has four types of regulated home providers with a maximum capacity of 16 children with two providers. A table of level regulation requirements, child ratios, and general requirements can be found at <https://ccmis.dhs.state.ia.us/providerportal/ChildCareRequirements.aspx>.

In review of these and other alternatives, the work group had several key discussion points:

- The traditional model of delivering family child care where the primary caregiver provides care in their own home, will, and should always be, an option.
- Alternative child care delivery models should not be labeled as family child care, even when smaller groups.
- Minnesota already has some existing options in statutes that are underused.
- There is demand in communities for alternative models that do not fit within the framework of existing statute and rule governing child care.
- Home ownership is a barrier for potential providers and operating out of their own home can present challenges for existing providers.
- Acquiring and affording usable properties and spaces for alternative child care models is challenging and requires community investment.
- Alternative child care delivery models would offer an option between current licensed family child care and licensed center-based child care.

## Duty 5 recommendations

### Recommendations for LEGISLATIVE ACTION

5.1. Clarify that “family child care” is child care provided in the license holder’s own residence, the license holder is the primary caregiver and can hold only one family child care license.

5.2. Clarify that “special family child care” means a provider that is operating in a residential setting other than their own home.

5.3. Reclassify existing non-residential based “special family child care” to a new license type for programs currently operating under Section 245A.14, subd. 4, paragraphs b - h and create a new section in Chapter 245A. Clarify that these programs will continue to be governed by Minnesota Rules, chapter 9502; monitored by county licensing agencies under Section 245A.16 and may not exceed licensed capacity of 14.

---

<sup>15</sup> For more information about Montana’s group home child care model, go to <https://dphhs.mt.gov/ecfsd/childcarelicensing/BecomeaChildCareProvider/FamilyGroupNewApplicationPacket/Family-Group-Renewal-Application-Packet/ExtendedFacilityInformation/ChildCareRegulationforInfantChildFacilities>.

5.4. Modify current statute to allow an employer who holds a special family child care license under 245A.14, subd. 4, paragraph (b) to operate up to a total of 4 licensed programs for the benefit of the license holder's employees.

5.6. Modify current statute to allow a church or religious organization who holds a special family child care license under 245A.14, subd. 4, paragraph (c) to operate up to a total of 4 licensed programs in the same building.

5.7. Provide financial supports, tax credits or bonds to support communities and businesses in purchasing, renovating or leasing properties for child care facilities, including leveraging underused space in anchor institutions such as nursing homes, hospitals, religious facilities, etc. Prioritize these supports to existing providers seeking to expand or modify their program. [**Note:** *this recommendation is not only for the legislature/public investment and is recommended to also be provided through private or philanthropic investment*]

### **Recommendations for DHS**

5.8. Convene a workgroup during 2021-22 to identify new models of large group, small center child care in nonresidential settings that are not currently allowed under existing statutes.

5.9. Increase awareness and provide technical assistance to licensed providers, businesses and communities to understand licensing distinctions between licensed in-home family child care, "special family child care" and child care centers.

5.10. Assist current providers, businesses and communities in understanding current flexibilities allowed under the current category of "special family child care" for small scale facility options, including the ability to allow multiple licensed family child care providers to operate independently under one roof.

### **Recommendations for Counties**

5.11. Increase awareness and provide technical assistance to licensed providers, businesses and communities to understand licensing distinctions between licensed in-home family child care, "special family child care" and child care centers.

5.12. Assist current providers, businesses and communities in understanding current flexibilities allowed under the current category of "special family child care" for small scale facility options, including the ability to allow multiple licensed family child care providers to operate independently under one roof.

## **Duty #6**

### ***Review Parent Aware program participation and identify obstacles and suggested improvements***

Parent Aware is Minnesota's Quality Rating and Improvement System for child care and early education programs. It was established to provide families the information needed to find child care and early education programs.

Participating programs can earn a One-, Two-, Three-, or Four-Star Rating. Parent Aware Ratings are based on demonstrated use of research-based practices that prepare children for school and life. Each Rating level builds on the previous one, helping families identify which practices the program is using. The program allows Parent Aware to recognize and reward programs when they use these practices.<sup>16</sup>

The task force received an initial presentation which addressed:

- The system for earning star ratings;
- Eligible programs;
- How child care programs are supported;
- The continuous improvement process built into Parent Aware;
- Growth in ratings and children in rated programs; and
- Provider feedback survey results.

The Duty 6 work group then conducted in-depth discussions on the policies and governance of Parent Aware (including the current Child Care and Development Fund Plan, State Statute 124D.142, and the Parent Aware Validation study); and the structure of Parent Aware (standards and indicators; quality documentation portfolios; financial supports; early childhood indicators of progress; and information about curriculum); provider outreach and promotion (website and provider perceptions report); program implementation (experiences with Building Quality report; requirement for Parent Aware Coach endorsement; and Parent Aware Quality coaching and rating process overview).

## **Duty 6 recommendations**

### **Recommendation for LEGISLATIVE ACTION**

6.1. Provide funding for a validation study of Parent Aware. Require that the validation study is completed before making updates to the current Parent Aware Standards and Indicators.

### **Recommendations for DHS**

6.2. Create ways for family child care providers to be directly connected to Parent Aware on an ongoing basis, such as serving on the Parent Aware Advisory Committee, and providing more opportunities for family child care providers to provide input into standards, pathways, and supports for family child care providers participating in Parent Aware.

6.3 Streamline the number of forms and documents that need to be completed to provide evidence for the Parent Aware indicators as part of the Quality Documentation Portfolio (QDP).

6.4. Improve the effectiveness of the Parent Aware coaching process through consistent messaging related to support options and acceptable evidence.

---

<sup>16</sup> For more information about Parent Aware and its resources, go to <https://www.parentaware.org>.

6.5. Review and revise Parent Aware forms and related materials to include common language that reflects the characteristics and experiences of family child care providers, including creation of a separate Quality Documentation Portfolio (QDP) specifically for family child care providers.

6.6. Improve the process and structure for online Quality Documentation Portfolio (QDP) submission in the Develop data system.

6.7. Incorporate relevant Family Child Care Task Force recommendations into the CCDF Plan for federal fiscal year (FFY) 2022-2024.

6.8. Communicate the voluntary nature of Parent Aware to parents with greater clarity and in a manner that does not convey that no rating equals poor quality.

## **Duty #7**

***Review how trainings for licensed family child care providers are offered, provided, coordinated, and approved, and make a recommendation on the establishment of a family child care continuing education training committee, to advise on compliance with federal and state training requirements.***

Well-trained providers are key to positive outcomes for children. For family child care providers, there are multiple reasons to engage in ongoing training: for lifelong learning and skill-building; earning credentials such as a CDA; to meet licensing requirements; to qualify for a Parent Aware rating; or to receive program accreditation.

Professional development is a key requirement of the federal block grant, and is an expectation set out by the Legislature per its 2007 directives to provide coordinated delivery of training content, incentives and support; to establish and maintain a registry, known as the Develop data system, where the training received by a provider can be tracked over time; and through the development of career lattice steps which help define the training requirements for child care career levels.

Training is split into three different types – state-owned and funded; approved independent, and unapproved training. Training is approved in two different ways:

1. Approval through Achieve – Minnesota’s Center for Professional Development (MNCPD)
2. Approval through licensors to meet requirements for licensing

When a trainer wants their training approved through Achieve-MNCPD, they submit information about the training to Achieve then their request is processed to make sure the training meets standards. Minnesota statute requires training approved through Achieve-MNCPD to count for Minnesota licensing requirements if it contains the required content. When providers take training outside of the Minnesota Professional Development System (i.e. not approved by Achieve–MNCPD), they provide documentation to their licensor and the licensor makes sure it meets statutory requirements.

In addition, there are training needs for family child care providers such as local zoning, insurance requirements, and other issues.

The Duty 7 work group focused its discussion in four areas:

- The desire for a more formalized mechanism of gathering provider input on training requirements
- The frequency of active supervision training
- Definition of adult caregiver versus adult helper, intended to address the challenge for providers to have access to short term, supervised adult assistance in the family child care setting, and the perception that current training requirements preclude such assistance. Clarity is needed about the role; the training needed in order to be alone with children OR limitations that a helper cannot be alone with children; and consistency with federal directives
- Whether providers may count hours that they spend providing training towards their own training requirements

### **Recommendations for LEGISLATIVE ACTION**

7.1 Create a Family Child Care Training Advisory Committee with the following criteria: maximum of 15 members, of whom a majority are licensed family child care providers, including some providers chosen by statewide and local family child care associations. The remaining members must include individuals with expertise in child development, instructional design and/or training delivery. In addition, there should be members of diverse cultural communities. Appointment provisions should be similar to those used in the Family Child Care Task Force law. The Committee should meet a minimum of two times per year, with length of terms, length of advisory committee, duties, committee oversight and funding to DHS for advisory committee operations outlined in legislation. The advisory committee will provide recommendations to the DHS commissioner on family child care training requirements. DHS must present these recommendations to the legislature.

7.2. Expand active supervision training options for providers.

7.3 Explore creating an option to allow for adult helpers under direct supervision of the licensed provider. Adult helpers should have the same training requirements as the current helper category, as long as those requirements are in compliance with federal regulations.

7.4 Providers approved as trainers through the Develop data system may count up to two of the hours they spend delivering training to early childhood caregivers/educators towards their annual required 16 training hours. The provider may only claim training hours for the first time they deliver that content-specific training during each annual licensing year. Hours accrued as training must be approved through the Develop data system with attendance verified on the trainer's individual learning record and must be in KCF area VII A (Establishing Healthy Practices) or B (Ensuring Safety).

### **Recommendation for DHS**

7.5. Create tutorials to help users understand how to carry out various tasks within the Develop data system. Possible topics include creating an account, searching for training, applying to become an approved trainer, submitting a training (course) for approval (applies to trainers), updating personal information in a Develop record, and printing a learning record.

## Duty #8

***Consider methods to improve access to and understanding of the rules and statutes governing family child care providers.***

Family child care providers are required to know and comply with numerous rules and statutes, including Minnesota Rules, chapter 9502, Minnesota Statutes, chapters 245A, 245C and 260E. Providers have expressed that it is challenging for both new and current family child care providers to access and understand rules and statutes. Since family child care providers are licensed at the county level, communications about rules and statutes are not always consistent across the state.

The Duty 8 Workgroup focused on:

- The concept of an “ombudsperson” or “navigator” who would be charged with being an independent resource for information.
- Maintaining and improving DHS and licensing websites and communications to providers.
- The accessibility of licensing forms.
- Recommendations about training (which are incorporated in Duty #7).

### **Recommendation for LEGISLATIVE ACTION**

8.1. Reintroduce the Ombudsperson bill. The position should be independent and not in DHS. This should not replace providers’ current relationship and progress with DHS.

### **Recommendations for DHS**

8.2. Communication about rules, statutes, and state/federal regulations and any changes to them should (at least) come from DHS. Continue the implementation plans.

8.3. Add language block to DHS forms providers are required to complete. As resources permit, translate those required forms.

8.4. Maintain a list of email addresses for family child care providers who have provided an email address and update annually.

8.5. Send a postcard mailing from DHS to existing providers for whom DHS does not have an active e-mail address with information on where to find and ask questions on the most critical/commonly requested information.

8.7. Add a search function to the "Ask DHS" page that includes frequently asked questions/common topics and include previous answers given by DHS or a link to the applicable section of Rule 2 or statute. A search query on the page would populate a list of search results containing the term the visitor used.

8.8. Work with providers and licensors to develop a plain language training offered by DHS to help providers learn how to access, read, and understand the rules and statutes.

8.9. Offer meetings with stakeholders about any proposed legislation before the legislative session begins. Inform all providers about these meetings.

8.10. Continue to update the "Guide to Becoming a Licensed Family Child Care Provider" to reflect legislative changes.

### **Recommendations for Counties**

8.11. Place links to DHS forms and information online to ensure they are up-to-date and to save time.

8.12. Maintain an accurate list of every family child care provider in the county with an email address. Ensure that these contacts are shared with DHS frequently.

8.13. Possibly add a pop-up on the county "child care provider" page if there are any updates to rules, statutes, or forms.

### **Recommendation for Providers**

8.14. Providers need to be involved in family child care meetings, plans, hearings, etc. and keep their contact information, including email address if applicable, updated with their licensor to ensure they receive and review necessary information and resources.

# V. Appendix A: Task force meeting materials list

The materials discussed by or presented to the task force members at the meetings held between June 2020 and January 2021 are listed below. Materials from all Task Force meetings are available on the Family Child Care Task Force webpage: [mn.gov/dhs/family-child-care-task-force](https://mn.gov/dhs/family-child-care-task-force)

## ***Meeting 7: Tuesday, June 23, 2020***

- June 23, 2020 agenda
- June 23, 2020 Small Group Questions
- FCCTF duties status
- Former Child Care provider survey presentation
- Former family child care providers survey questions
- Former family child care provider survey expanded report
- FCCTF meeting feedback survey
- Open meeting law overview memorandum - Prepared by the Minnesota House Research Department

## ***Meeting 8: Tuesday, July 21, 2020***

- Family Child Care Training Presentation
- Task Force Duties List
- Task Force Work Group Expectations
- How Child Care Training is Offered, Provided, Coordinated, and Approved
- July 21, 2020 agenda
- Task force meeting #7 minutes

## ***Meeting 9: Tuesday, August 18, 2020***

- Task force meeting #8 minutes
- Alternate child care delivery systems presentation, Duty 5
- Parent Aware presentation, Duty 6
- August 18, 2020 agenda
- Report-Provider Perceptions of Parent Aware, Minnesota's Quality Rating and Improvement System
- Duty 8 Work Group presentation
- Task Force and Work Group timeline

## ***Meeting 10: Tuesday, September 22, 2020***

- September 22, 2020 agenda
- Task force meeting #9 minutes
- Duty 4 work group presentation
- Duty 4 work group recommendations
- Duty 8 work group presentation
- Duty 8 work group recommendations

- Meetings and work groups timeline updated

***Meeting 11: Tuesday, October 20***

- October 20, 2020 agenda
- Task force meeting #10 minutes
- FCCTF- Updated reimbursement policy
- Duty 4 work group recommendations
- Duty 4 work group presentation
- Duty 7 work group recommendations
- Duty 7 work group presentation
- Duty 5 work group recommendations
- Duty 5 work group presentation
- Duty 5 work group- existing MN and other state examples of child care models

***Meeting 12: Tuesday, October 27***

- October 27, 2020 agenda
- Task force meeting #11 minutes
- Duty 2 work group recommendations
- Duty 2 work group presentation
- Duty 6 work group recommendations
- Duty 6 work group presentation

***Meeting 13: Tuesday, November 17***

- November 17, 2020 agenda
- Task force meeting #12 minutes
- Draft - Family Child Care Task Force report, Nov. 17, 2020

***Meeting 14: Tuesday, December 8***

- December 8, 2020 agenda
- Task force meeting #13 minutes

***Meeting 15: Tuesday, January 12***

- Task force meeting #14 minutes
- Tuesday, January 12 agenda

***Meeting 16: Thursday, January 28***

- Task force meeting #15 minutes
- Thursday, January 28 agenda