



# Early Childhood Connector Call | April 2024

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## About Early Childhood Connector Calls

On a quarterly basis, the state hosts Connector Calls with child care providers and early educators to answer questions related to legislation, licensing, programs, grants and more. The purpose of the call is to answer clarifying questions that providers may have. Calls are hosted online on WebEx, recorded and available publicly for those that weren't able to attend. [Calls are recorded and available on the Early Childhood Connector webpage.](#) Translations to the questions answered during the call are also available online.

Educators of all types are invited to these calls. We welcome questions from school-based early childhood programs, licensed programs, certified centers, exempt programs, legally non-licensed providers, Family, Friend and Neighbor caregivers, and individuals interested in starting a child care business.

## Connector Call Questions

### Department of Human Services, Child Care Services

- How is the state helping Family, Friend and Neighbor and legally non-licensed providers know what services are out there to support them?
  - Answer: Family, Friend and Neighbor caregivers provide a critical support in helping children, families and community thrive. The state started issuing grants to community organizations in 2020 to support Minnesota's Family, Friend and Neighbor caregivers. As part of that effort, the state created a website to raise awareness of these caregivers, resources and community organizations available to them. In 2023, the state supported a campaign to raise awareness of the website, resources and organizations. These efforts are ongoing. The state is currently working with 20 grantees, who support Minnesota's Family, Friend and Neighbor caregivers across Minnesota. One of the specific goals of our grantees is to increase awareness of becoming a legally non-licensed provider.

You can find more information at this website: <https://mn.gov/dhs/ffn-minnesota/>

- Are Wayfinder Navigators able to assist centers in adding data into the Provider Hub?
  - Answer: In 2023, the Provider Hub was launched for certified and licensed child care centers with phases focused on Licensing. A huge thanks to child care centers for taking part in this initiative that is creating a more efficient, user-friendly and equitable experience in applying for and interacting with your licensor. If you operate a licensed or certified center, you must enter your own data. This is not a role for the Wayfinder Navigators. There are many technical assistance resources embedded in the Provider Hub, and members of the Product Experience Team are available to provide support to Provider Hub users. Providers who need technical assistance with the Provider Hub can submit a case 24/7 using the support toolbar at the bottom of each page, or by calling the Product Experience Team at 651-431-6075.

- Where can providers find start up grants for the Black, Indigenous and People of Color (BIPOC) community?
  - Answer: Start up grants are available through the Child Care Aware System Regional Grant program for providers in all communities across Minnesota. The Child Care Wayfinder program also has start up vouchers for programs that are interested in start up or expansion. Please have interested parties contact their local Wayfinder Navigator for more information. Navigator contact information can be found at <https://www.childcarewayfinder.org/>

## Department of Human Services, Licensing

- As a child care center, I would appreciate assistance in enhancing our emergency lockdown plans. Personally, I've learned that utilizing permanent locks, even when not actively engaged, conflicts with Minnesota Fire Code. We seek guidance on how to secure classroom doors without violating relevant legislation applicable to child care centers.
  - Answer: This is a question best answered by a fire marshal because it is a state fire code requirement related to lock down hardware. We reached out to the State Fire Marshal's office regarding this question, and they said there may be options that allow for more special locking arrangements. It will likely require a fire alarm system or sprinkler system, but because facilities are all so unique, it is challenging to give a blanket answer of what can work. They provided us with a link to a document titled "[Security and Barricade Devices on Classroom Doors](#)". You could [contact them directly](#) if you had additional questions.
- Are there any plans to update the Keeping Kids Safe planning guide? Additionally, while the fire department prohibits the use of child locks on classroom, playground, or any emergency exit doors, having doors easily accessible to children poses a significant stressor. We kindly request recommendations to address this concern. It's also not easy to find Minnesota Fire Codes, can it be linked in DHS' website?
  - Answer: [Keeping Kids Safe is a guide](#) for child care providers to use in preparing to keep children safe when disasters and emergencies occur. It was recently updated in March of 2024. The update was led by representatives from Minnesota Department of Health, Minnesota Department of Education, including Head Start, and the Minnesota Department of Human Services including licensing and CCAP. The update did not include a significant overhaul to the guide. Mainly links and clarifications were updated and added where needed.
- It is required to have an approved fall surface material and right now we have woodchips on the one-year-old playground. They are constantly putting them in their mouth. Would it be acceptable to cover the woodchips with another material like turf or an outdoor carpet?
  - Answer: We do commonly see woodchips under and around playground equipment, but there are other materials that may be used to reduce the likelihood of injury from falls such as mulch, sand, pea gravel, or safety-tested rubber-like materials. Some surfaces under playground equipment do not adequately protect children from injury if they fall including dirt, grass, and carpeting. A primary resource for you to determine the right surface for your playground is the

Consumer Product Safety Commission. They have detailed information about appropriate surfacing for playgrounds. The Consumer Product Safety Commission "[Public Playground Safety Handbook](#)" can help you learn more about playground-related injuries and recommendations for equipment and surfacing practices.

To address the question about whether it would be acceptable to cover the woodchips with another material like turf or an outdoor carpet, you would need to ensure that the appropriate amount of woodchips needed to protect against injury remains intact, as well as ensuring the turf or outdoor carpet would not result in other potential hazards if it became loose or created a tripping hazard.

- I want to express concern about the current process of reporting employee misconduct within child care licensed programs. Presently, reporting mistreatment of a child from a staff member often results in citations for the program, despite the program acting diligently, with minimal repercussions for the person who maltreated a child. In cases where termination is pursued, the disciplined employee may continue working with children at a different program. What would be a good practice to prevent these people to continue working with children?
  - Answer: We appreciate you raising the issue and your concern for the safety of children in care. Under licensing statutes, the license holder is responsible for maintaining compliance within their programs so in the event a staff person acts in a way that violates a licensing standard, the license holder is ultimately responsible to respond to the correction order or other licensing action that may be issued. In the case of a maltreatment finding, DHS is required to determine if a staff person or the license holder was responsible for the maltreatment under the Maltreatment of Minors Act. When maltreatment occurs against a staff person, it can result in the staff person being disqualified from working in any DHS licensed or certified program. However, if a person is not disqualified, DHS does not have the authority in law to restrict an individual's employment.
- Are there plans to provide forms such as ICCPP in Spanish and other languages? If not, is it acceptable for us to create our own forms in another language? We acknowledge that this may pose challenges during licensor visits due to potential language barriers. What recommendations do you have for addressing this situation?
  - Answer: There are not current plans to translate forms such as an individual child care program plan in languages other than English. This is a priority for DHS and a goal the department is working toward in the future. We acknowledge this can be challenging for individuals who do not speak English as their primary language. Programs can translate documents and forms for families and staff in other languages, but your official program documentation to meet licensing requirements needs to remain in English at this time.
- How do we know we are meeting all paperwork requirements? Minnesota is very broad with their descriptions of what needs to be in paperwork and it feels like our licensor is flagging things we had no knowledge of.

- Answer: For licensed child care centers, we have an area on our webpage called [Forms and other documents](#). In that area, we divided it into 1. Forms centers must use; 2. Optional forms centers can use to document required information; and 3. Resource documents. Under the Resource documents area, there are various checklists that providers can use to ensure compliance with record keeping requirements. For example, the Checklist for Administrative Records for Licensed Child Care Centers is there and will help you ensure you have the required administrative records such as drill logs and menus.

For family child care, if a licenser is flagging something that you are unaware of, please ask the licenser to show you the requirement in the rule or statute so that you may have a better understanding of what is required. If this is occurring at an annual visit, and after the explanation is provided, you disagree with the interpretation, you may dispute the violation. This will bring the issue to DHS's attention for review.

Additionally, the family child care website has a [forms and other documents section](#) which clearly separates paperwork that is required vs forms that are optional and can be used to meet a requirement.

If you have a different experience regarding a form and how we have it separated on our website, please let us know so we can review it to ensure it falls into the correct section and the explanation still applies.

- With the introduction of the Provider Hub, are licensed child care centers still required to keep paper personnel files on site? Or can they solely be electronically recorded on the Provider Hub?
  - Answer: The Provider Hub is considered a system of record for licensing information. Information that is entered in the Provider Hub does not need to be maintained in other formats. The Provider Hub product team is in the process of redesigning the personnel functionality in the Provider Hub in collaboration with providers, based on provider feedback received since the launch of the Provider Hub. At this time, providers are not required to enter personnel information into the Provider Hub unless a personnel variance is required. Any personnel information that has been entered in the Provider Hub will be retained through the personnel functionality redesign. Once the personnel redesign updates are launched, all personnel information required by licensing will be required to be entered in the Provider Hub.
- When entering personnel in the Provider Hub, will we have to enter each teacher's education history from the entire time they were employed with the program, even if the licenser has approved those files already? Or do we just have to input information from the prior year? Some of our teachers have education dating back 7 years or more.
  - Answer: Once the personnel redesign updates are launched, providers will be required to enter all personnel into the Provider Hub to be qualified within the Hub, even if they were previously qualified on a Personnel Information Form (PIF) by a licenser. Once information is entered into

the Provider Hub, it will only need to be updated when changes occur. Personnel information will no longer need to be resupplied each year for the annual licensing review.

- How do you apply for a teacher variance in the Provider Hub?
  - Answer: Staff qualification variances are submitted on the Personnel tab within the Provider Hub. The option to request a variance will appear once all information for that staff person has been entered, and only if the staff person does not meet the qualifications for the role requested. There are support articles and resources in the Provider Hub with step-by-step instructions for submitting personnel variances. Providers who need further assistance submitting a personnel variance in the Provider Hub can submit a case 24/7 using the support toolbar at the bottom of each page or call the Product Experience Team at 651-431-6075.
  
- Why can I start back to work after having a baby at any time, but cannot start an infant before six weeks old?
  - Answer: Child care center licensing standards require, for purposes of enrollment, that an "Infant" must be at least six weeks old. When an individual is able to go back to work is a separate issue and not addressed in child care licensing standards.
  
- What is a legally nonlicensed child care provider vs an unlicensed caregiver to a child?
  - Answer: A legally nonlicensed provider, often referred to as LNL, means the individual who is providing care to a child(ren) that has registered to provide these services in exchange for reimbursement from the Child Care Assistance Program. Individuals who provide LNL services are required to complete a fingerprinted background study and they also must complete required training. Additional resources and requirements for LNL providers can be found in the [Child Care Assistance Program Policy Manual](#).

An individual who provides care to a child without a license may do so in certain circumstances that are exempt from licensure. The exemptions include:

- Providing care to a child(ren) from one unrelated family;
- Providing care to children for a cumulative total of less than 30 days in any 12-month period; or
- Providing care to related children.

There is no limit to the number of children who may be in care when an individual is exempt from licensure. The Human Services Licensing Act governs who is considered to be related and says "Individual who is related" means a spouse, a parent, a birth or adopted child or stepchild, a stepparent, a stepbrother, a stepsister, a niece, a nephew, an adoptive parent, a grandparent, a sibling, an aunt, an uncle, or a legal guardian. This relationship is between the individual providing care and the child who is receiving care. Additional exclusions from licensure can be [found in statute](#).

- What qualifies as an "unqualified sub" for preschool age centers?
  - Answer: Unqualified Substitutes can be used in any licensed child care center. An unqualified substitute is an individual who does not meet the qualifications for teacher or assistant teacher, but are being used in that capacity as a substitute. Individuals can be used as an unqualified sub only if:
    - The amount of unqualified substitute hours per center/calendar year does not exceed 40 hours multiplied by the number of the center's full-time teacher and assistant teacher positions;
    - Unqualified substitutes are not used as teachers or assistant teachers for more than ten consecutive working days for the same group of children per calendar year; and
    - There is always a person qualified as a teacher present within the center-except in the instance an Assistant teacher is substituting for a teacher during morning arrival or afternoon departure-not to exceed 25 percent of the center's daily hours of operation

We have an [unqualified substitute report available](#) on our licensed child care center website for you to use to document unqualified sub use.

- Is DHS planning to make changes to teacher and assistant teacher qualification requirements any time soon? As we struggle to find qualified staff for teaching positions in the early childhood field, will qualifications change for teacher qualified individuals to make hiring and retaining easy in the field?
  - Answer: DHS is currently leading a project many of you are likely familiar with called the Regulation Modernization project. One of the components to this project is revising the current licensing standards and staff qualification requirements is a key element of this work. Stakeholder engagement has been a significant and critical part of the process. In addition to a survey and other engagement efforts, a staff qualification workgroup was formed with about 20 early childhood education and child care center stakeholders, including provider associations, child care center providers and other child care experts to give input on what the new qualification requirements should look like.

By the end of April, the revised standards draft will be posted on the project website for the public to review and provide feedback. [This website](#) is also a good way to stay updated on the project overall.

We acknowledge the difficulty many child care centers are currently having to find qualified staff and thank you for your continued commitment. We want to make sure you are aware that there are a variety of resources and tools to help you staff your center including the ability to submit variances for individuals who may not meet qualification requirements, unqualified substitute and experienced aide provisions in current standards, and the temporary provision until July 1, 2025, to allow an aide over 18 years of age to be substituted for a teacher or assistant teacher up to 25 percent of the center's daily hours of operation at the beginning or end of the day. We also have a [new video on our website](#) that will walk through this information in greater detail.

Additionally, there are new pathways for individuals to become qualified and employers to gain competent staff through a combination of employment, on-the-job training, college coursework, and personal support from a mentor through the Child Care Aware [TEACH apprenticeship program](#) and the MN Dept of Labor and Industry [dual-training pipeline program](#).

## Department of Health

- What are the guidelines for COVID-19 now for family child care?
  - Answer: On March 1, 2024 the Center for Disease Control updated the COVID-19 guidance. If someone tests positive for COVID-19, they stay home and away from others until for 24 hours both: symptoms are improving and fever free without meds. Then for 5 days, take additional precautions.

## Early Childhood Connector Calls

- I am unable to access the January 23 Connector Call. How can I watch it later?
  - Answer: You can find recordings and translation on the Early Childhood Connector website.
    - Link to Early Childhood Connector Website: <https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/child-care-and-early-education/early-childhood-connector/>
    - Link to the January 23 Connector Call recording: <https://www.youtube.com/watch?v=sAvSID7Uyhc>
- Will you be doing these calls during the work day?
  - Answer: Live sessions will be in the evening as many early educators are busy with children during daytime hours. Recordings and translations will be available after for folks who are not able to attend. If individuals want to connect outside of these calls, they can email the Children's Cabinet inbox. [childrenscabinet.mmb@state.mn.us](mailto:childrenscabinet.mmb@state.mn.us)