



Family Child Care Task Force Minutes

October 12, 2019

9:05 am to 2:50 pm

Broadway Place West, 1300 Godward Street, NE, Minneapolis, MN 55413

Lake Nokomis Room

Appointed Task Force Members Present

✓ Ann McCully	✓ Ariane Bromberg	✓ Cyndi Cunningham
✓ Erin Echternach, by phone	✓ Heidi Hagel Braid	✓ Hollee Saville
✓ JoAnn Smith, by phone	✓ Julie Seydel	✓ Kelly Martini
✓ Kim Leipold	✓ Lanay Miller	✓ Liz Harris
✓ Marit Woods	✓ Rep. Ami Wazlawik, Co-chair	✓ Rep. Lisa Demuth
✓ Reggie Wagner, DHS Commissioner's designee	✓ Samantha Chukuske	✓ Scott Marquardt
✓ Sen. Mary Kiffmeyer, Co-chair	✓ Sen. Melissa Wiklund	✓ Stephanie Hogenson
✓ Tiffany Grant		

Appointed Task Force Members Absent

✗ Dan Dorman	✗ Erin Johnson-Balstad	✗ Laura Bordelon
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ACET Facilitators Present

✓ Ashley Kitchen	✓ Jolene Roehlkepartain	✓ Stella SiWan Zimmerman
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Each Task Force member received the following materials:

- Agenda;
- Family Child Care Task Force Schedule by Duty;
- Meeting notes from the September 19, 2019, Task Force meeting and appendix;
- Family Child Care Task Force Action Template;
- Summary of Recommendations from the 2016 Legislative Task Force on Access to Affordable Child Care – Results on Implementing Licensing-related Recommendations;
- DHS PowerPoint on Regulatory Infrastructure of Licensed Child Care, Surveys and Variances;
- Draft survey for former licensed family child care providers who held their licenses for less than 5 years; and
- Draft survey for former licensed family child care providers who held their licenses for 5+ years.

Welcome

- Co-chair Ami Wazlawik began the meeting at 9:05 a.m.
- Task Force members each introduced themselves.

Business Items

- DHS clarified that to receive reimbursement for Task Force-related expenses, Task Force members could submit a photo or a scan of the receipt, but they must keep the original in case the state needs to review the original receipt.
- The Task Force meeting notes were reviewed and approved as official meeting minutes.
- The motion passed unanimously with 22 ayes. The votes:
 - Ann McCully, aye
 - Ariane Bromberg, aye
 - Cyndi Cunningham, aye
 - Dan Dorman, not present
 - Erin Echternach, aye
 - Erin Johnson-Balstad, not present
 - Heidi Hagel Braid, aye
 - Hollee Saville, aye
 - JoAnn Smith, aye
 - Julie Seydel, aye
 - Kelly Martini, aye
 - Kim Leipold, aye
 - Lanay Miller, aye
 - Laura Bordelon, not present
 - Liz Harris, aye
 - Marit Woods, aye
 - Rep. Ami Wazlawik, aye
 - Rep. Lisa Demuth, aye
 - Reggie Wagner, aye
 - Samantha Chukuske, aye
 - Scott Marquardt, aye
 - Sen. Mary Kiffmeyer, aye
 - Sen. Melissa Wiklund, aye
 - Stephanie Hogenson, aye
 - Tiffany Grant, aye
- Meeting evaluations from the September 19, 2019 meeting were generally positive.
- It was noted that the meeting was being recorded by audio. The group agreed that audio recordings and meeting transcripts should be posted on the Task Force website. <https://mn.gov/dhs/family-child-care-task-force>.
- The group reviewed upcoming meeting dates and task force duties for each meeting on the Family Child Care Task Force Schedule by Duty.
 - Tuesday, November 12, 2019, from 6 p.m. to 9 p.m., Task Force Duty #2
 - Monday, December 16, 2019, from 6 p.m. to 9 p.m., Task Force Duty#5

- Tuesday, January 14, 2020, from 6 p.m. to 9 p.m., Task Force Duty #1 (continuation), Task Force Duty #5 (continuation), and work on Interim Report
- Tuesday, February 4, 2020, from 6 p.m. to 9 p.m., work on Interim Report
- Task Force members participated in a get-to-know-you activity.

Task Force Duty #1

- *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.*

Presentation:

Barb Wagner, Manager of the Family Child Care Licensing Unit for DHS, gave a PowerPoint presentation with an overview of family child care licensing and the results of surveys of former family child care providers.

Discussion:

Stella divided the members into three groups to discuss 5 questions regarding Task Force Duty #1, using the two draft surveys as a place to start.

1. Should we conduct a follow-up study of providers who have closed their business?
All groups agreed that we should.
2. Should we send a different survey to providers who were in the field a shorter time?
The groups want the same survey to be sent with skip logic to potentially ask different questions of the different groups.
3. Who should receive the survey? (People who left in the last year? 2 years?)
The groups want to collect more years of data: 4 years, 5 years, from 2013 forward
4. What questions should be added, changed, or removed?
 - Utilize best survey practices.
 - If “strongly agree” or “strongly disagree” is chosen, then a window pops up to add more information.
 - Get basic demographic information, including type, location/region, starting age/ending age of providing care.
 - Move questions about demographic information to the end of the survey.
 - Reword survey language to have a positive tone.
 - Simplify the list.
 - Ask: What did you like about this work? Get more information.
 - Add: low enrollment, low pay (and what’s under the low pay, CCAP?), regulations (based on category).
 - Focus on naming regulations. Also focus on how it’s being done.

- Have the survey come from the Task Force. Make sure the survey is sent out by a neutral, third party to boost response.
 - Have a neutral, third party collect and analyze the data. Consider organizations that do job retention survey methodology, such as Grow Minnesota!, DEED, and the University of Minnesota Extension.
 - Emphasize that it is anonymous.
5. Does the information we heard earlier point to any other steps we should take?
- Make this an ongoing process. Continue to do this so we can receive continuous data.
 - Question: Will this survey only be for those who left or also for those who are active? If it's also for those who are active, learn more about what's currently happening. Should we also survey county licensors?

Task Force Duty #3

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

Presentations:

- Reggie Wagner, the Deputy Inspector General for the Licensing Division at DHS and a member of the Task Force, gave a PowerPoint presentation on variances.
- Matt Freeman, the Executive Director of the Minnesota Association of County Social Services Administrators (MACSSA), provided some information about one of the organization's perspectives on variances. He stated that county liability is a concern.

Minnesota Statute 466.03, Subd. 6d <https://www.revisor.mn.gov/statutes/cite/466.03> is somewhat unique in the way that it specifically makes counties liable when they have actual knowledge of noncompliance with a rule.

Small-Group Discussion:

Stella divided the members into three groups to discuss the information they had heard and their experience with variances. Appendix A includes visuals from the small-group discussions and the full-group discussion. Two groups completed visuals for this discussion.

The groups identified these broad issues and potential action steps:

1. Liability
 - a. Clarify issues around liability across the board
 - b. Get clarification specifically on whether county licensors are individually and/or personally liable
 - c. Commission a study of possibilities/legal implications
 - d. Engage the county attorney association
 - e. Remove liability from county/licensors; revise 466.03 and shift to general liability

2. Inconsistency between counties
 - a. Educate county boards, county attorneys and county licensors about variances and why they are important
 - b. Require counties to have written guidelines as to the process and under what circumstances they will consider granting a variance
 - c. Have a written copy accessible so licensors, providers, and families know what those guidelines are
 - d. Help county commissioners and attorneys create a structure for approval of variances; require them to specify who has authority to approve variances
3. Communication
 - a. Make sure written guidelines are posted online for people to be able to access
 - b. Provide guidelines (from licensors) to license holders to be sure they are aware of the county guidelines
 - c. Provide licensors with tools they can give to providers
4. Training and guidance for licensors
 - a. Encourage DHS to provide more specialized training to licensors when it comes to granting variances (need a broader conversation around what that looks like and how that works)
 - b. Ensure that licensors understand options that could allow a provider to avoid the need for a variance (such as changing their class of license)
 - c. Replicate work support programs
 - d. Issue consistent guidance to support licensors
 - e. Engage a non-government entity to create tools/resources
5. No appeal process when variances are denied
 - a. Explore requiring counties to have a process for providers to appeal
6. Current ratios for infants and toddlers contribute to the need for these variances
 - a. Understand current best practices for ratios
 - b. Build a cross-sector coalition to inform options to consider
 - c. Test the financial feasibility of options
7. Outdated standards/Rule
 - a. The standards are more than 30 years old and need to be updated; we should not be creating new standards by making variances the norm

Next Steps

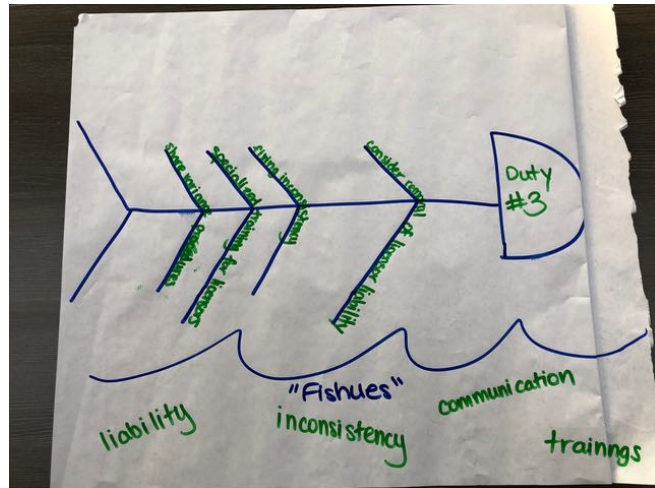
- The meeting adjourned at 2:50 p.m.

Appendix A

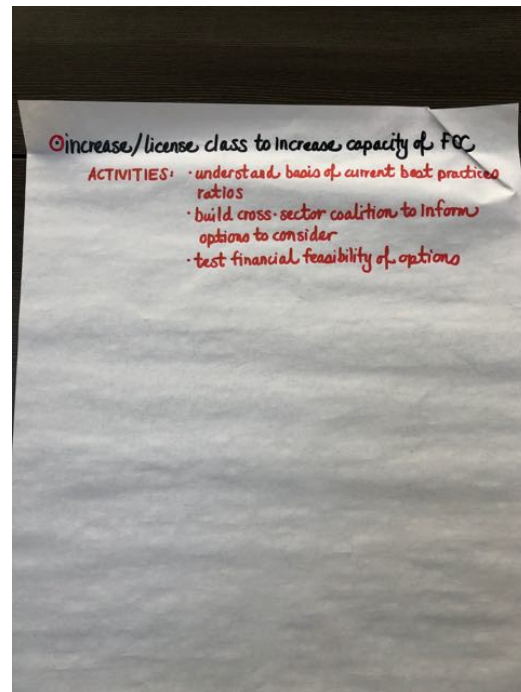
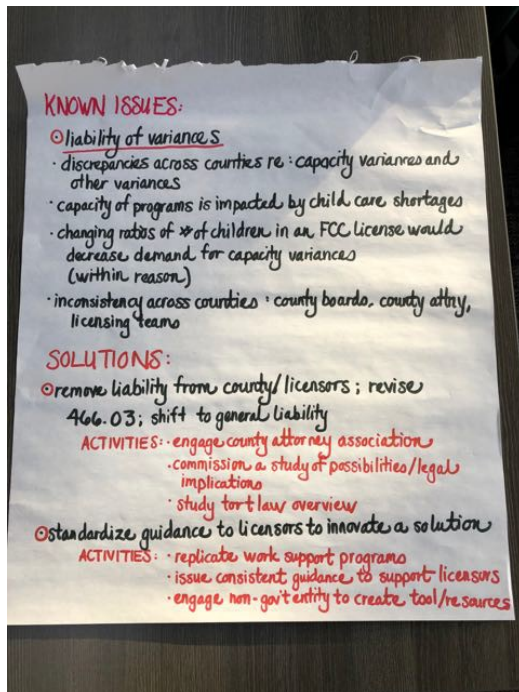
Visuals of the Fishbone Analysis

During the October 12, 2019, Task Force meeting, ACET asked Task Force members to work in three groups to complete an adapted fishbone analysis. The head of the fish was Duty #3: *Review existing variance authority delegated to counties and recommend changes, if needed.* The fish was swimming in the issues. The bones of the fish represented solutions. What follows are visuals of the work from the individual groups and a visual of the full-group discussion.

Visual from Group #1, which included Marit Woods, Lanay Miller, Kelly Martini, Hollee Saville, Rep. Lisa Demuth, JoAnn Smith (by phone), and Erin Echternach (by phone), and Co-chair Rep. Ami Wazlawik:



Visuals from Group #3, which included Scott Marquardt, Kim Leipold, Tiffany Grant, Ariane Bromberg, Heidi Hagel Braid, Stephanie Hogenson, and Co-chair Sen. Mary Kiffmeyer:



Visual from the full-group discussion, which included all members of the Task Force:

