

CHAPTER 142—H.F.No. 808

An act relating to child care; permitting variances from certain staffing requirements for parent cooperative programs; authorizing biennial licensing reviews for family day care; amending Minnesota Statutes 1990, sections 245A.02, by adding a subdivision; 245A.14, subdivision 6; and 245A.16, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1990, section 245A.02, is amended by adding a subdivision to read:

Subd. 10a. PARENT COOPERATIVE. “Parent cooperative” means a non-profit group child care program that is governed by a board that meets regularly and makes all continuing operational decisions about the program. At least 70 percent of the board membership must be parent-users of the program.

Sec. 2. Minnesota Statutes 1990, section 245A.14, subdivision 6, is amended to read:

Subd. 6. DROP-IN CHILD CARE PROGRAMS. Except as expressly set forth in this subdivision, drop-in child care programs must be licensed as a drop-in program under the rules governing child care programs operated in a center. Drop-in child care programs are exempt from the requirements in Minnesota Rules, parts 9503.0040; 9503.0045, subpart 1, items F and G; 9503.0050, subpart 6, except for children less than 2-1/2 years old; one-half the requirements of 9503.0060, subpart 4, item A, subitems (2), (5), and (8), subpart 5, item A, subitems (2), (3), and (7), and subpart 6, item A, subitems (3) and (6); 9503.0070; and 9503.0090, subpart 2. A drop-in child care program must be operated under the supervision of a person qualified as a director and a teacher. A drop-in child care program must have at least two persons on staff whenever the program is operating, except that the commissioner may permit variances from this requirement under specified circumstances for parent cooperative programs, as long as all other staff-to-child ratios are met. A drop-in child care program must maintain a minimum staff ratio for children age 2-1/2 or greater of one staff person for each ten children; ~~except that there must be at least two persons on staff whenever the program is operating.~~ If the program has additional staff who are on call as a mandatory condition of their employment, the minimum child-to-staff ratio may be exceeded only for children age 2-1/2 or greater, by a maximum of four children, for no more than 20 minutes while additional staff are in transit. The minimum staff-to-child ratio for infants up to 16 months of age is one staff person for every four infants. The minimum staff-to-child ratio for children age 17 months to 30 months is one staff for every seven children. In drop-in care programs that serve both infants and older children, children up to age 2-1/2 may be supervised by assistant teachers, as long as other staff are present in appropriate ratios. The minimum staff distribution pattern for a drop-in child care program serving children age 2-1/2 or greater is: the first staff member must be a teacher; the second, third, and fourth staff members

New language is indicated by underline, deletions by ~~strikeout~~.

must have at least the qualifications of a child care aide; the fifth staff member must have at least the qualifications of an assistant teacher; the sixth, seventh, and eighth staff members must have at least the qualifications of a child care aide; and the ninth staff person must have at least the qualifications of an assistant teacher. The commissioner by rule may require that a drop-in child care program serving children less than 2-1/2 years of age serve these children in an area separated from older children and may permit children age 2-1/2 and older to be cared for in the same child care group.

Sec. 3. Minnesota Statutes 1990, section 245A.16, subdivision 1, is amended to read:

Subdivision 1. **DELEGATION OF AUTHORITY TO AGENCIES.** (a) County agencies and private agencies that have been designated or licensed by the commissioner to perform licensing functions and activities under section 245A.04, to recommend denial of applicants under section 245A.05, to issue correction orders and recommend fines under section 245A.06, or to recommend suspending, revoking, and making licenses probationary under section 245A.07, shall comply with rules and directives of the commissioner governing those functions and with this section.

(b) By January 1, 1991, the commissioner shall study and make recommendations to the legislature regarding the licensing and provision of support services to child foster homes. In developing the recommendations, the commissioner shall consult licensed private agencies, county agencies, and licensed foster home providers.

(c) For family day care programs, the commissioner may authorize licensing reviews every two years after a licensee has had at least one annual review.

Presented to the governor May 20, 1991

Signed by the governor May 22, 1991, 5:42 p.m.

CHAPTER 143—H.F.No. 654

An act relating to human services; requiring training of child care providers to include training in cultural dynamics; amending Minnesota Statutes 1990, section 245A.14, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1990, section 245A.14, is amended by adding a subdivision to read:

Subd. 7. CULTURAL DYNAMICS TRAINING FOR CHILD CARE PROVIDERS. (a) The ongoing training required of licensed child care centers and group and family child care providers shall include training in the cultural dynamics of childhood development and child care as an option.

New language is indicated by underline, deletions by ~~strikeout~~.