

9503.0065 CHILD CARE FOR CHILDREN WITH SPECIAL NEEDS.

Subpart 1. **Definition.** "Child with special needs" for purposes of this part means a child at least six weeks old but younger than 13 years old who:

A. has developmental disabilities or is otherwise eligible for case management as specified in parts 9525.0004 to 9525.0036 and has an individual service plan specifying child care to be provided by the center;

B. has been identified by the local school district as a child with a disability as specified in Minnesota Statutes, section 125A.02, subdivision 1, and has an individualized education program specifying child care to be provided by the center according to Minnesota Statutes, section 125A.05; or

C. has been determined by a licensed physician, psychiatrist, licensed psychologist, or licensed consulting psychologist as having a special need relating to physical, social, or emotional development.

Subp. 2. **Report to parent.** The license holder must inform the parent of any diagnosed or identified special need of a child that was not reported by the parent at the time of admission.

Subp. 3. **Individual child care program plan.** When a license holder admits a child with special needs, the license holder must ensure that an individual child care program plan is developed to meet the child's individual needs. The individual child care program plan must be in writing and specify methods of implementation and be reviewed and followed by all staff who interact with the child.

If the child has developmental disabilities or is otherwise eligible for case management as specified in subpart 1, item A, then the individual child care plan must be coordinated with the child's individual service plan developed under parts 9525.0004 to 9525.0036.

If the child has a disability as specified in subpart 1, item B, then the individual child care plan must be coordinated with the child's individualized education program developed under Minnesota Statutes, chapter 125A.

If the child has a special need determined under subpart 1, item C, the individual child care plan must be coordinated with reports from the licensed physician, licensed psychiatrist, licensed psychologist, or licensed consulting psychologist. The individual child care plan must be evaluated at least annually by the licensed physician, licensed psychiatrist, licensed psychologist, or licensed consulting psychologist and with the child's parent to determine if the needs of the child are being met.

Subp. 4. **Service contracts.** The license holder must have copies of all service contracts with the center for care or services provided under parts 9525.0004 to 9525.0036

and Minnesota Statutes, chapter 125A, when the care or service is provided to a child while at the center.

Subp. 5. **Additional staff, staff qualifications, or training.** The license holder must ensure that any additional staff, staff qualifications, or training required by the child's individual child care plan in subpart 3 are provided.

Statutory Authority: *MS s 14.386; 14.388; 245A.02; 245A.09; 252.28; 256B.092*

History: *13 SR 173; 18 SR 2244; L 1998 c 397 art 11 s 3; L 2005 c 56 s 2; 30 SR 585; L 2011 1Sp11 art 3 s 12*

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