

CHAPTER 142C

CERTIFIED LICENSE-EXEMPT CHILD CARE CENTERS

NOTE: A transfer of a power or responsibility in this chapter to the Department of Children, Youth, and Families is effective upon notice of the commissioner of children, youth, and families to the commissioners of administration, management and budget, and other relevant departments along with the secretary of the senate, the chief clerk of the house of representatives, and the chairs and ranking minority members of the relevant legislative committees and divisions. Laws 2024, chapter 80, article 8, section 72, Laws 2023, chapter 70, article 12, section 30.

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142C.01 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in this chapter have the meanings given in this section.

Subd. 2. **Applicant.** "Applicant" means an individual or organization that is subject to certification under this chapter and that applied for but is not yet granted certification under this chapter.

Subd. 3. **Authorized agent.** "Authorized agent" means the individual designated by the certification holder who is responsible for communicating with the commissioner of children, youth, and families regarding all items pursuant to this chapter.

Subd. 4. **Center operator or program operator.** "Center operator" or "program operator" means the person exercising supervision or control over the center's or program's operations, planning, and functioning.

Subd. 5. **Certification holder.** "Certification holder" means the individual or organization that is legally responsible for the operation of the center, and granted certification by the commissioner under this chapter.

Subd. 6. **Certified license-exempt child care center.** "Certified license-exempt child care center" means the commissioner's written authorization for a child care center excluded from licensure under section 142B.05, subdivision 2, paragraph (a), clause (3), (7) to (9), (15), (18), (26), or (30), to register to receive child care assistance payments under chapter 142E.

Subd. 7. **Disinfecting.** "Disinfecting" means the use of a product capable of destroying or inactivating harmful germs, except bacterial spores, consistent with label directions on environmental surfaces including bathroom toilets and floors, diaper-changing surfaces, and surfaces exposed to blood or other bodily fluids.

Subd. 8. **Infant.** "Infant" means a child who is at least six weeks old but less than 16 months old.

Subd. 9. **Preschooler.** "Preschooler" means a child who is at least 33 months old but who has not yet attended the first day of kindergarten.

Subd. 10. **School-age child.** "School-age child" means a child who is of sufficient age to have attended the first day of kindergarten or is eligible to enter kindergarten within four months and who:

(1) is no more than 13 years old;

(2) is 14 years old and has a disability and is eligible for child care assistance under chapter 142E;

(3) is eligible for child care assistance until redetermination under section 142E.10, subdivision 1, paragraph (e); or

(4) attends a certified center that serves only school-age children in a setting that has no students enrolled in a grade higher than 8th grade.

Subd. 11. **Staff person.** "Staff person" means an employee of a certified center who provides direct contact services to children.

Subd. 12. **Substitute.** "Substitute" means an adult who is temporarily filling a position as a staff person for less than 240 hours total in a calendar year due to the absence of a regularly employed staff person who provides direct contact services to a child.

Subd. 13. **Toddler.** "Toddler" means a child who is at least 16 months old but less than 33 months old.

Subd. 14. **Unsupervised volunteer.** "Unsupervised volunteer" means an individual who: (1) assists in the care of a child in care; (2) is not under the continuous direct supervision of a staff person; and (3) is not employed by the certified center.

History: *1Sp2017 c 6 art 16 s 43,68; 1Sp2019 c 9 art 2 s 85-87; 2023 c 70 art 8 s 40-42; 2024 c 80 art 2 s 74; art 3 s 3; art 4 s 26; art 5 s 7; art 8 s 70; 2024 c 115 art 16 s 42; art 19 s 15-18*

142C.02 WHO MUST BE CERTIFIED.

A program that is exempt from licensure under section 142B.05, subdivision 2, paragraph (a), clause (3), (7) to (10), (12), (16), or (18), must be a certified license-exempt child care center according to this section to receive child care assistance payments under chapter 142E.

History: *1Sp2017 c 6 art 16 s 44,68; 2023 c 70 art 8 s 43; 2024 c 80 art 2 s 74; art 3 s 3; art 4 s 26; art 5 s 7; 2024 c 115 art 16 s 42*

142C.03 APPLICATION PROCEDURES.

Subdivision 1. **Schedule.** The certification of license-exempt child care centers shall be implemented by September 30, 2017. Certification applications shall be received and processed on a phased-in schedule as determined by the commissioner.

Subd. 2. **Application submission.** The commissioner shall provide application instructions and information about the rules and requirements of other state agencies that affect the applicant. The certification application must be submitted in a manner prescribed by the commissioner. Upon implementation of the provider licensing and reporting hub, applicants must use the hub in the manner prescribed by the commissioner. The commissioner shall act on the application within 90 working days of receiving a completed application.

Subd. 3. **Incomplete applications.** When the commissioner receives an application for initial certification that is incomplete because the applicant failed to submit required documents or is deficient because the documents submitted do not meet certification requirements, the commissioner shall provide the applicant

written notice that the application is incomplete or deficient. In the notice, the commissioner shall identify documents that are missing or deficient and give the applicant 45 days to resubmit a second application that is complete. An applicant's failure to submit a complete application after receiving notice from the commissioner is basis for certification denial.

Subd. 4. Reconsideration of certification denial. (a) The applicant may request reconsideration of the denial by notifying the commissioner by certified mail, by personal service, or through the provider licensing and reporting hub. The request must be made in writing. If sent by certified mail, the request must be postmarked and sent to the commissioner within 20 calendar days after the applicant received the order. If a request is made by personal service, it must be received by the commissioner within 20 calendar days after the applicant received the order. If the order is issued through the provider hub, the request must be received by the commissioner within 20 calendar days from the date the commissioner issued the order through the hub. The applicant may submit with the request for reconsideration a written argument or evidence in support of the request for reconsideration.

(b) The commissioner's disposition of a request for reconsideration is final and not subject to appeal under chapter 14.

Subd. 5. Notification required. (a) A certification holder must notify the commissioner, in a manner prescribed by the commissioner, and obtain the commissioner's approval before making any changes:

- (1) to the certification holder as defined in section 142C.01, subdivision 5;
- (2) to the authorized agent as defined in section 142C.01, subdivision 3;
- (3) to the certification holder information on file with the secretary of state or Department of Revenue;
- (4) in the location of the program certified under this chapter;
- (5) to the ages of children served by the program; or
- (6) to the certified center's schedule including its:
 - (i) yearly schedule;
 - (ii) hours of operation; or
 - (iii) days of the week it is open.

(b) When, for reasons beyond the certification holder's control, a certification holder cannot provide the commissioner with prior notice of the changes in paragraph (a), the certification holder must notify the commissioner by the tenth business day after the change and must provide any additional information requested by the commissioner.

(c) When a certification holder notifies the commissioner of a change to the certification holder information on file with the secretary of state, the certification holder must provide documentation of the change.

(d) Upon implementation of the provider licensing and reporting hub, certification holders must enter and update information in the hub in a manner prescribed by the commissioner.

History: *1Sp2017 c 6 art 16 s 45,68; 1Sp2019 c 9 art 2 s 88; 2023 c 70 art 8 s 44-46; 2024 c 80 art 3 s 3*

142C.04 COMMISSIONER'S RIGHT OF ACCESS.

(a) When the commissioner is exercising the powers conferred by this chapter, whenever the center is in operation and the information is relevant to the commissioner's inspection or investigation, the commissioner must be given access to:

- (1) the physical facility and grounds where the program is provided;
- (2) documentation and records, including electronically maintained records;
- (3) children served by the center; and
- (4) staff and personnel records of current and former staff.

(b) The commissioner must be given access without prior notice and as often as the commissioner considers necessary if the commissioner is investigating alleged maltreatment or a violation of a law or rule, or conducting an inspection. When conducting an inspection, the commissioner may request and shall receive assistance from other state, county, and municipal governmental agencies and departments. The applicant or certification holder shall allow the commissioner, at the commissioner's expense, to photocopy, photograph, and make audio and video recordings during an inspection.

History: *ISp2017 c 6 art 16 s 46,68; 2024 c 80 art 3 s 3*

142C.05 MONITORING AND INSPECTIONS.

(a) The commissioner must conduct an on-site inspection of a certified license-exempt child care center at least once each calendar year to determine compliance with the health, safety, and fire standards specific to a certified license-exempt child care center.

(b) The commissioner shall make publicly available on the department's website the results of inspection reports for all certified centers including the number of deaths, serious injuries, and instances of substantiated child maltreatment that occurred in certified centers each year.

History: *ISp2017 c 6 art 16 s 47,68; 2023 c 70 art 8 s 47; 2024 c 80 art 3 s 2,3*

142C.06 CORRECTION ORDER.

Subdivision 1. **Correction order and conditional certification requirements.** (a) If the applicant or certification holder fails to comply with a law or rule, the commissioner may issue a correction order. The correction order must state:

- (1) the condition that constitutes a violation of the law or rule;
- (2) the specific law or rule violated; and
- (3) the time allowed to correct each violation.

(b) If the applicant or certification holder fails to comply with a law or rule, the commissioner may issue a conditional certification. When issuing a conditional certification, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule and the effect of the violation on the health, safety, or rights of persons served by the program. The conditional order must state:

- (1) the conditions that constitute a violation of the law or rule;
- (2) the specific law or rule violated;

(3) the time allowed to correct each violation; and

(4) the length and terms of the conditional certification, and the reasons for making the certification conditional.

(c) Nothing in this section prohibits the commissioner from decertifying a center under section 142C.07 before issuing a correction order or conditional certification.

(d) The commissioner may issue a correction order or conditional certification to the applicant or certification holder through the provider licensing and reporting hub.

Subd. 2. Reconsideration request. (a) If the applicant or certification holder believes that the commissioner's correction order or conditional certification is erroneous, the applicant or certification holder may ask the commissioner to reconsider the part of the correction order or conditional certification that is allegedly erroneous. A request for reconsideration must be made in writing and postmarked or submitted through the provider licensing and reporting hub and sent to the commissioner within 20 calendar days after the applicant or certification holder received the correction order or conditional certification, and must:

(1) specify the part of the correction order or conditional certification that is allegedly erroneous;

(2) explain why the specified part is erroneous; and

(3) include documentation to support the allegation of error.

(b) A request for reconsideration of a correction order does not stay any provision or requirement of the correction order. The commissioner's disposition of a request for reconsideration is final and not subject to appeal.

(c) A timely request for reconsideration of a conditional certification shall stay imposition of the terms of the conditional certification until the commissioner issues a decision on the request for reconsideration.

(d) Upon implementation of the provider licensing and reporting hub, the provider must use the hub to request reconsideration. If the order is issued through the provider hub, the request must be received by the commissioner within 20 calendar days from the date the commissioner issued the order through the hub.

Subd. 3. Decertification following a correction order. (a) If the commissioner finds that the applicant or certification holder failed to correct the violation specified in the correction order, the commissioner may decertify the license-exempt center pursuant to section 142C.07.

(b) Nothing in this section prohibits the commissioner from decertifying a center according to section 142C.07.

History: *1Sp2017 c 6 art 16 s 48,68; 2023 c 70 art 8 s 48,49; 2024 c 80 art 3 s 3; 2024 c 115 art 19 s 19,20*

142C.07 DECERTIFICATION.

Subdivision 1. Generally. (a) The commissioner may decertify a center if a certification holder:

(1) failed to comply with an applicable law or rule;

(2) knowingly withheld relevant information from or gave false or misleading information to the commissioner in connection with an application for certification, in connection with the background study status of an individual, during an investigation, or regarding compliance with applicable laws or rules; or

(3) has authorization to receive child care assistance payments revoked pursuant to chapter 142E.

(b) When considering decertification, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule.

(c) When a center is decertified, the center is ineligible to receive a child care assistance payment under chapter 142E.

(d) The commissioner may issue a decertification order to a certification holder through the provider licensing and reporting hub.

Subd. 2. Reconsideration of decertification. (a) The certification holder may request reconsideration of the decertification by notifying the commissioner by certified mail, by personal service, or through the provider licensing and reporting hub. The request must be made in writing. If sent by certified mail, the request must be postmarked and sent to the commissioner within 20 calendar days after the certification holder received the order. If a request is made by personal service, it must be received by the commissioner within 20 calendar days after the certification holder received the order. If the order is issued through the provider hub, the request must be received by the commissioner within 20 calendar days from the date the commissioner issued the order through the hub. With the request for reconsideration, the certification holder may submit a written argument or evidence in support of the request for reconsideration.

(b) The commissioner's disposition of a request for reconsideration is final and not subject to appeal under chapter 14.

Subd. 3. Decertification due to maltreatment. If the commissioner decertifies a center pursuant to subdivision 1, paragraph (a), clause (1), based on a determination that the center was responsible for maltreatment, and if the center requests reconsideration of the decertification according to subdivision 2, paragraph (a), and appeals the maltreatment determination under section 260E.33, the final decertification determination is stayed until the commissioner issues a final decision regarding the maltreatment appeal.

Subd. 4. Decertification due to revocation of child care assistance. If the commissioner decertifies a center that had payments revoked pursuant to chapter 142E, and if the center appeals the revocation of the center's authorization to receive child care assistance payments, the final decertification determination is stayed until the appeal of the center's authorization under chapter 142E is resolved. If the center also requests reconsideration of the decertification, the center must do so according to subdivision 2, paragraph (a). The final decision on reconsideration is stayed until the appeal of the center's authorization under chapter 142E is resolved.

History: *1Sp2017 c 6 art 16 s 49,68; 1Sp2019 c 9 art 2 s 89; 1Sp2020 c 2 art 8 s 145; 2023 c 70 art 8 s 50,51; 2024 c 80 art 3 s 3; art 4 s 26; art 5 s 7; 2024 c 115 art 16 s 42*

142C.08 STAFFING REQUIREMENTS.

Subdivision 1. Staffing requirements. (a) Except as provided in paragraph (b), during hours of operation, a certified center must have a director on site who is responsible for overseeing implementation of written policies relating to the management and control of the daily activities of the program, ensuring the health and safety of program participants, and supervising staff and volunteers.

(b) When the director is absent, a certified center must designate a staff person who is at least 18 years old to fulfill the director's responsibilities under this subdivision to ensure continuity of program oversight. The designee does not have to meet the director qualifications in subdivision 2 but must be aware of their designation and responsibilities under this subdivision.

Subd. 2. **Director qualifications.** The director must be 18 years of age or older and have completed at least 16 hours of training in any of the following topic areas: child development and learning; developmentally appropriate learning experiences; relationships with families; assessment, evaluation, and individualization; historical and contemporary development of early childhood education; professionalism; and health, safety, and nutrition.

Subd. 3. **Staff qualifications.** A staff person must be 16 years of age or older before providing direct, unsupervised care to a child.

Subd. 4. **Maximum group size.** (a) For an infant, the maximum group size is eight children.

(b) For a toddler, the maximum group size is 14 children.

(c) For a preschooler, the maximum group size is 20 children.

(d) For a school-age child, the maximum group size is 30 children.

(e) The maximum group size applies at all times except during group activity coordination time not exceeding 15 minutes, during a meal, outdoor activity, field trip, nap and rest, and special activity including a film, guest speaker, indoor large muscle activity, or holiday program.

Subd. 5. **Ratios.** (a) The minimally acceptable staff-to-child ratios are:

infants	1:4
toddlers	1:7
preschoolers	1:10
school-age children	1:15

(b) For mixed-age groups, the ratio for the age group of the youngest child applies.

History: *1Sp2017 c 6 art 16 s 50,68; 2023 c 70 art 8 s 52,53; 2024 c 80 art 3 s 3; 2024 c 115 art 19 s 21-23*

142C.09 BACKGROUND STUDIES.

(a) The applicant or certification holder must submit a completed background study for each child care background study subject as defined in section 245C.02, subdivision 6a.

(b) To be accepted for certification, a background study on every individual applying for certification must be completed under chapter 245C and result in a not disqualified determination under section 245C.14 or a disqualification that was set aside under section 245C.22.

History: *1Sp2017 c 6 art 16 s 51,68; 1Sp2019 c 9 art 2 s 90; 2024 c 80 art 3 s 3*

142C.10 REPORTING.

(a) The certification holder must comply and must have written policies for staff to comply with the reporting requirements for abuse and neglect specified in chapter 260E. A person mandated to report physical or sexual child abuse or neglect occurring within a certified center shall report the information to the commissioner.

(b) The certification holder must inform the commissioner within 24 hours of:

(1) the death of a child in the program; and

(2) any injury to a child in the program that required treatment by a physician, advanced practice registered nurse, or physician assistant.

History: *1Sp2017 c 6 art 16 s 52,68; 1Sp2019 c 9 art 2 s 91; 2020 c 115 art 4 s 90; 1Sp2020 c 2 art 8 s 81; 2022 c 58 s 112; 2024 c 80 art 3 s 3*

142C.11 HEALTH AND SAFETY REQUIREMENTS.

Subdivision 1. **Exclusion of sick children and infectious disease outbreak control.** (a) A certified center must supervise and isolate a child from other children in the program when a child becomes sick and immediately notify the sick child's parent or legal guardian.

(b) A certified center must post or give notice to the parent or legal guardian of an exposed child the same day the program is notified of a child's contagious reportable disease specified in Minnesota Rules, part 4605.7040, or scabies, impetigo, ringworm, or chicken pox.

Subd. 2. **Immunizations.** By a child's date of attendance, the certified center must maintain or have access to a record detailing the child's current immunizations or applicable exemption.

Subd. 3. **Administration of medication.** (a) A certified center that chooses to administer medicine must meet the requirements in this subdivision.

(b) The certified center must obtain written permission from the child's parent or legal guardian before administering prescription medicine, nonprescription medicine, diapering product, sunscreen lotion, and insect repellent.

(c) The certified center must administer nonprescription medicine, diapering product, sunscreen lotion, and insect repellent according to the manufacturer's instructions unless provided written instructions by a licensed health professional to use a product differently.

(d) The certified center must obtain and follow written instructions from the prescribing health professional before administering prescription medicine. Medicine with the child's first and last name and current prescription information on the label is considered written instructions.

(e) The certified center must ensure all prescription and nonprescription medicine is:

(1) kept in the medicine's original container with a legible label stating the child's first and last name;

(2) given only to the child whose name is on the label;

(3) not given after an expiration date on the label; and

(4) returned to the child's parent or legal guardian or destroyed, if unused.

(f) The certified center must document in the child's record the administration of prescription and nonprescription medication, including the child's first and last name; the name of the medication or prescription number; the date, time, and dosage; and the name and signature of the person who administered the medicine. This documentation must be available to the child's parent or legal guardian.

(g) The certified center must store prescription and nonprescription medicines, insect repellents, and diapering products according to directions on the original container.

Subd. 4. Preventing and responding to allergies. (a) Before admitting a child for care, the certified center must obtain documentation of any known allergies from the child's parent or legal guardian. The certified center must maintain current allergy information in each child's record. The allergy information must include:

(1) a description of the allergy, specific triggers, avoidance techniques, and symptoms of an allergic reaction; and

(2) procedures for responding to an allergic reaction, including medication, dosages, and a doctor's contact information.

(b) The certified center must inform staff of each child's current allergy information. At least annually and when a change is made to allergy-related information in a child's record, the certified center must inform staff of any change. Documentation that staff were informed of the child's current allergy information must be kept on site.

(c) A child's allergy information must be available at all times including on site, when on field trips, or during transportation. Food allergy information must be readily available to staff in the area where food is prepared and served to the child.

Subd. 5. Building and physical premises; free of hazards. (a) To be accepted for certification, the applicant must demonstrate compliance with the State Fire Code, section 299F.011, by either:

(1) providing documentation of a fire marshal inspection completed within the previous three years by a state fire marshal or a local fire code inspector trained by the state fire marshal; or

(2) complying with the fire marshal inspection requirements according to section 142B.44.

(b) The certified center must designate a primary indoor and outdoor space used for child care on a facility site floor plan.

(c) The certified center must ensure the areas used by a child are clean and in good repair, with structurally sound and functional furniture and equipment that is appropriate to the age and size of a child who uses the area.

(d) The certified center must ensure hazardous items including but not limited to sharp objects, medicines, cleaning supplies, poisonous plants, and chemicals are out of reach of a child.

(e) The certified center must safely handle and dispose of bodily fluids and other potentially infectious fluids by using gloves, disinfecting surfaces that come in contact with potentially infectious bodily fluids, and disposing of bodily fluid in a securely sealed plastic bag.

Subd. 6. Transporting children. (a) If a certified center chooses to transport a child, the certified center must ensure that the driver of the vehicle holds a valid driver's license, appropriate to the vehicle driven.

(b) If a certified center chooses to transport a child, the center must comply with all seat belt and child passenger restraint system requirements under sections 169.685 and 169.686.

Subd. 7. Risk reduction plan. (a) The certified center must develop a risk reduction plan that identifies risks to children served by the child care center. The assessment of risk must include risks presented by (1) the physical plant where the certified services are provided, including electrical hazards; and (2) the environment, including the proximity to busy roads and bodies of water.

(b) The certification holder must establish policies and procedures to minimize identified risks. After any change to the risk reduction plan, the certification holder must inform staff of the change in the risk reduction plan and document that staff were informed of the change.

(c) If middle-school-age children are enrolled in the center and combined with elementary children, the certification holder must establish policies and procedures to ensure adequate supervision as defined in subdivision 10 when children are grouped together.

Subd. 8. **Required policies.** A certified center must have written policies for health and safety items in subdivisions 1 to 6.

Subd. 9. **Behavior guidance.** The certified center must ensure that staff and volunteers use positive behavior guidance and do not subject children to:

(1) corporal punishment, including but not limited to rough handling, shoving, hair pulling, ear pulling, shaking, slapping, kicking, biting, pinching, hitting, and spanking;

(2) humiliation;

(3) abusive language;

(4) the use of mechanical restraints, including tying;

(5) the use of physical restraints other than to physically hold a child when containment is necessary to protect a child or others from harm;

(6) prone restraints, as prohibited by section 245A.211; or

(7) the withholding or forcing of food and other basic needs.

Subd. 10. **Supervision.** Staff must supervise each child at all times. Staff are responsible for the ongoing activity of each child, appropriate visual or auditory awareness, physical proximity, and knowledge of activity requirements and each child's needs. Staff must intervene when necessary to ensure a child's safety. In determining the appropriate level of supervision of a child, staff must consider: (1) the age of a child; (2) individual differences and abilities; (3) indoor and outdoor layout of the child care program; and (4) environmental circumstances, hazards, and risks.

History: *1Sp2017 c 6 art 16 s 54,68; 1Sp2019 c 9 art 2 s 92-96; 2023 c 70 art 8 s 54,55; art 17 s 34; 2024 c 80 art 2 s 74; art 3 s 3*

142C.12 TRAINING REQUIREMENTS.

Subdivision 1. **First aid and cardiopulmonary resuscitation.** (a) Before having unsupervised direct contact with a child, but within 90 days after the first date of direct contact with a child, the director, all staff persons, substitutes, and unsupervised volunteers must successfully complete pediatric first aid and pediatric cardiopulmonary resuscitation (CPR) training, unless the training has been completed within the previous two calendar years. Staff must complete the pediatric first aid and pediatric CPR training at least every other calendar year and the center must document the training in the staff person's personnel record.

(b) Training completed under this subdivision may be used to meet the in-service training requirements under subdivision 6.

Subd. 2. **Sudden unexpected infant death.** A certified center that cares for an infant who is younger than one year of age must ensure that the director, all staff persons, including substitutes, unsupervised

volunteers, and any other volunteers receive training according to section 142B.46 on reducing the risk of sudden unexpected infant death before assisting in the care of an infant.

Subd. 3. **Abusive head trauma.** A certified center that cares for a child under school age must ensure that the director and all staff persons, including substitutes and unsupervised volunteers, receive training on abusive head trauma before assisting in the care of a child under school age.

Subd. 4. **Child development.** Before having unsupervised direct contact with a child, but within 90 days after the first date of direct contact with a child, the director, all staff persons, substitutes, and unsupervised volunteers must complete child development and learning training. Child development and learning training must be repeated every second calendar year thereafter. The director and staff persons not including substitutes must complete at least two hours of training on child development. The training for substitutes and unsupervised volunteers is not required to be of a minimum length. For purposes of this subdivision, "child development and learning training" means how a child develops physically, cognitively, emotionally, and socially and learns as part of the child's family, culture, and community.

Subd. 5. **Orientation.** The certified center must ensure the director and all staff persons, substitutes, and unsupervised volunteers are trained at orientation on health and safety requirements in this section and sections 142C.10, 142C.11, and 142C.13. The certified center must provide orientation within 14 days after the first date of direct contact with a child. Before the completion of orientation, these individuals must be supervised while providing direct care to a child.

Subd. 6. **In-service training.** (a) The certified center must ensure that the director and all staff persons, including substitutes and unsupervised volunteers, are trained at least once each calendar year on health and safety requirements in this section and sections 142C.10, 142C.11, and 142C.13.

(b) The director and each staff person, not including substitutes, must complete at least six hours of training each calendar year. Training required under paragraph (a) may be used toward the hourly training requirements of this subdivision.

Subd. 7. **Documentation.** A certified center must document the date of a completed training required by this section in the personnel record of each staff person.

History: *1Sp2017 c 6 art 16 s 55,68; 1Sp2019 c 9 art 2 s 97-102; 2024 c 80 art 2 s 74; art 3 s 3; 2024 c 115 art 19 s 24,25*

142C.13 EMERGENCY PREPAREDNESS.

Subdivision 1. **Written emergency plan.** (a) A certified center must have a written emergency plan for emergencies that require evacuation, sheltering, or other protection of children, such as fire, natural disaster, intruder, or other threatening situation that may pose a health or safety hazard to children. The plan must be written on a form developed by the commissioner and reviewed and updated at least once each calendar year. The annual review of the emergency plan must be documented.

(b) The plan must include:

(1) procedures for an evacuation, relocation, shelter-in-place, or lockdown;

(2) a designated relocation site and evacuation route;

(3) procedures for notifying a child's parent or legal guardian of the relocation and reunification with families;

(4) accommodations for a child with a disability or a chronic medical condition;

(5) procedures for storing a child's medically necessary medicine that facilitates easy removal during an evacuation or relocation;

(6) procedures for continuing operations in the period during and after a crisis;

(7) procedures for communicating with local emergency management officials, law enforcement officials, or other appropriate state or local authorities; and

(8) accommodations for infants and toddlers.

(c) The certification holder must have an emergency plan available for review upon request by the child's parent or legal guardian.

Subd. 2. **Staff person training.** The certification holder must train a staff person at orientation and at least once each calendar year on the emergency plan and document training in each personnel file. The certified center must conduct at least quarterly one evacuation drill and one shelter-in-place drill. The date and time of the drills must be documented.

History: *1Sp2017 c 6 art 16 s 56,68; 1Sp2019 c 9 art 2 s 103; 2024 c 80 art 3 s 3*

142C.14 PERSONNEL RECORD.

The certification holder must maintain a personnel record for each staff person at the program that must contain:

(1) the staff person's name, home address, telephone number, and date of birth;

(2) documentation that the staff person completed training required by section 142C.12;

(3) documentation of the date the program initiated a background study for the staff person; and

(4) documentation of the date the staff person first had direct contact and access to a child while supervised, and the date the staff person first had direct contact and access to a child while unsupervised.

History: *1Sp2017 c 6 art 16 s 57,68; 2024 c 80 art 3 s 3*

142C.15 CERTIFICATION STANDARDS.

The commissioner shall regularly consult with stakeholders for input related to implementing the standards in this chapter.

History: *1Sp2017 c 6 art 16 s 58,68; 2024 c 80 art 3 s 3*

142C.16 PARENTAL ACCESS.

An enrolled child's parent or legal guardian must be allowed access to the parent's or legal guardian's child at any time while the child is in care.

History: *1Sp2017 c 6 art 16 s 59,68; 2024 c 80 art 3 s 3*

142C.17 PRONE RESTRAINT PROHIBITION.

Programs certified under this chapter must comply with the requirements of section 245A.211.

History: 2024 c 80 art 3 s 1

142C.18 CHILDREN'S RECORDS.

(a) A certification holder must maintain a record for each child enrolled in the certification holder's program. The record must contain:

(1) the child's full name, birth date, and home address;

(2) the name and telephone number of the child's parents or legal guardians;

(3) the name and telephone number of at least one emergency contact person other than the child's parents who can be reached in an emergency or when there is an injury requiring medical attention and who is authorized to pick up the child; and

(4) the names and telephone numbers of any additional persons authorized by the parents or legal guardians to pick up the child from the center.

(b) The certification holder must maintain in the child's record and ensure that during all hours of operation staff can access the following information:

(1) immunization information as required under section 121A.15 and Minnesota Rules, chapter 4604;

(2) medication administration documentation as required under section 142C.11, subdivision 3; and

(3) documentation of any known allergy as required under section 142C.11, subdivision 4.

History: 2024 c 115 art 19 s 2