FAQs to accompany the Ending the Modifications to Child Care Center Licensing Requirements document

In spring 2020, the Commissioner of Human Services temporarily modified certain requirements for licensed child care centers in order to provide centers with more flexibility to operate in a pandemic and focus on critical health and safety measures. Governor Walz announced that the COVID-19 peacetime emergency ends on July 1, 2021. This announcement means that some temporary modifications put in place during the COVID-19 peacetime emergency will be ending immediately while other modifications will end on August 30, 2021. The legislature only allowed DHS to extend some of the waivers for 60 days beyond the end of the peacetime emergency, after which providers must return to following licensing requirements in rule and statute.

Frequently Asked Questions

1. The peacetime emergency ends on July 1, 2021. What does this mean for centers?

Some of the temporary modifications to child care center licensing requirements that were put in place during the peacetime emergency will end immediately. For other modifications, providers will have up to 60 days to come back into compliance. Refer to the Ending the Modifications to Child Care Center Licensing Requirements document on the DHS Licensing COVID-19 webpage for those timelines. Although centers have up to 60 days for some modifications, it is recommended that centers work towards following licensing requirements in rule and statute as soon as possible.

2. My center has been using the staff distribution requirement waiver to meet workforce challenges during the pandemic. After the peacetime emergency ends, can an aide qualified staff person continue to serve in a lead teacher role?

Centers have 60 days after the peacetime emergency ends to transition back to operating under regular staffing requirements. The modification to staff distribution requirements ends on August 30, 2021. After that date, staff must meet the qualifications in rule for their role.

Providers who are struggling to find qualified staff can work 1:1 with their licensor on individual scenarios and can consult the DHS licensed child care centers website for information on staff qualification variances. In addition, an option for individuals who may not be interested in completing college credits is to pursue a Child Development Associate credential (CDA). Child Care Aware of Minnesota has financial assistance options for providers and licensing may be able to grant a variance to individuals enrolled in and working toward a CDA credential.
3. When do staff need to be up-to-date on their pediatric CPR and first aid training?

The pediatric first aid and CPR waiver expires 60 days after the end of the peacetime emergency (August 30, 2021). Centers will need to ensure staff meet the requirements in place for licensed centers prior to the pandemic.

- **New staff hired after peacetime emergency ends (July 1, 2021):** Pediatric first aid and CPR training must be completed prior to having unsupervised direct contact with a child, but not to exceed the first 90 days of employment (245A.40, Subd. 3-4).
- **New staff hired during the peacetime emergency:** Ensure staff come into full compliance with pediatric first aid and CPR training requirements by the end of the 60 day off-ramping period (August 30, 2021).
- **Existing staff whose training expired during the peacetime emergency:** If training expired in calendar year 2020 or 2021, training must be completed by the end of calendar year 2021.

4. If a staff person completed first aid and/or CPR training but it wasn’t a pediatric course do they need to re-take it?

First aid and CPR training are required to be pediatric. If either training was not pediatric, then pediatric training must be completed by the timelines outlined in question #3.

5. If a staff person completed a CPR training with a virtual observed skills assessment, do they need to re-take CPR training that includes an in-person observed skills assessment?

CPR training requires hands-on practice and in-person observed skills assessment. Depending on how the virtual training was provided, it may or may not need to be re-taken.

- If the hands-on skills assessment portion of the virtual training was conducted in a 1:1 format, with live video where the person receiving the training had a CPR dummy and could demonstrate skills while the instructor was able to assess the skills in real-time, this training will be accepted for the full two calendar years. After the peacetime emergency, the hands-on skills assessment will not be accepted in a virtual format.
- If the hands-on skills assessment portion of the virtual training was not conducted in the manner listed above, then the hands-on skills assessment portion of the training must be completed again, in-person according to the timelines outlined in question #3.

6. If a staff person completed a CPR training without an in-person or virtual observed skills assessment, do they need to re-take CPR training that includes an in-person observed skills assessment?

CPR training requires hands-on practice and in-person observed skills assessment. If the training did not include hands-on practice and in-person observed skills assessment, that portion of the training must be completed, in-person by the timelines outlined in question #3.
7. My staff completed the online child passenger restraint systems training (CARS) training, as allowed by the waiver. Do they need to repeat the in-person training this year?

The CARS training waiver expires 60 days after the end of the peacetime emergency (August 30, 2021).

- **New staff after August 30, 2021, who need CARS training:** In-person child passenger restraint training must be completed before transporting a child(ren) under eight in a motor vehicle, as outlined in Minnesota Statutes 245A.40, subd. 6.

- **New staff who needed CARS training during the peacetime emergency or 60 day waiver off-ramp period (through August 30, 2021):** Individuals who completed online CARS training, as allowed by the waiver, must come into full compliance with the requirements of Minnesota Statutes 245A.40, subd. 6 and complete in-person training by the end of calendar year 2021.

- **Existing staff whose training expired during the peacetime emergency or 60 day waiver off-ramp period (through August 30, 2021):** If training expired in calendar year 2020 or 2021, training must be completed by the end of calendar year 2021.

8. When do staff need to be compliant with annual and ongoing trainings other than first aid, CPR, and child passenger restraint (CARS)?

Effective Jan. 1, 2021, centers are expected to resume most annual and other ongoing training requirements. Providers must ensure all required trainings for calendar year 2021 are completed as required or be subject to a correction order if training requirements are not met. Biennial trainings that were to be completed in calendar year 2020 must be completed in 2021. Many trainings can be offered and completed internally within your program.