

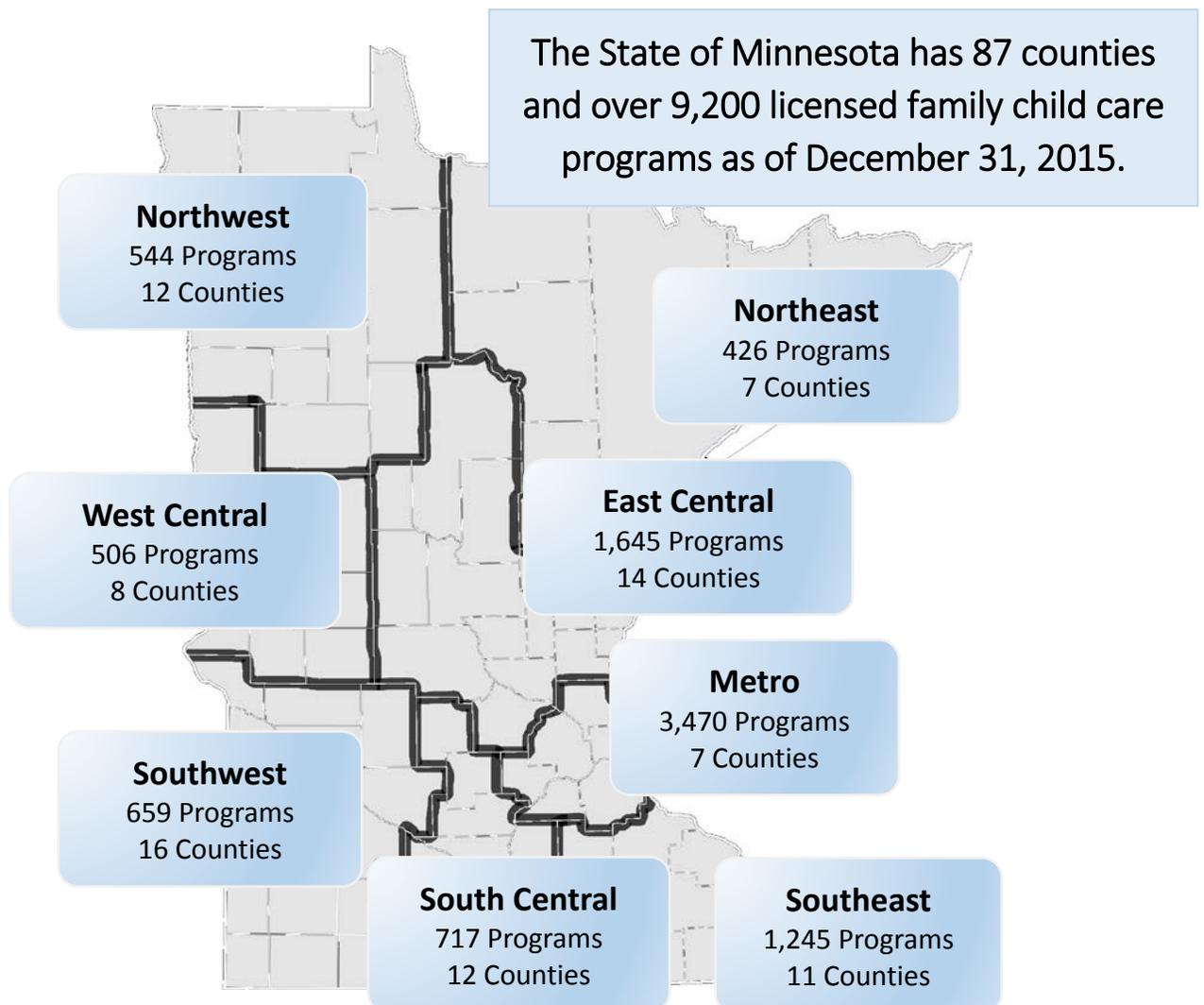


County Delegated Licensure of Family Child Care Programs

Fact Sheet | November 2016

Licensing promotes safe and nurturing child care environments by ensuring that licensed child care providers meet minimum health and safety standards. In Minnesota, a child care provider must obtain a license to operate a child care center or a family child care program, unless the provider meets an exemption set forth in state law. Child care centers are monitored by the Department of Human Services' Licensing Division and family child care programs are monitored by the county in which the family child care program is located.

In Minnesota, family child care providers who care for children from more than one, unrelated family must be licensed. The counties are responsible for monitoring licensed family child care programs and ensuring their compliance with health and safety standards.



County Responsibilities: Monitoring and Investigating

The counties perform the following licensing functions related to the licensure of family child care programs, including but not limited to:

- Conducting orientations for prospective providers
- Accepting and processing license applications
- Recommending approval and denial of license applications
- Issuing correction orders
- Recommending negative licensing actions (i.e., fine, conditional license, suspension, or revocation)
- Processing and monitoring some variance requests

Additionally, the counties are responsible for conducting licensing inspections of family child care programs and for investigating licensing complaints. A licensing inspection is completed prior to licensure and at least every two years. Counties also conduct inspections to investigate reports of licensing violations.

In Partnership

The DHS Licensing Division oversees the licensing functions delegated by state law to counties. The role of the Licensing Division is to help support counties in their performance of licensing functions and to promote uniform enforcement of rules governing licensed family child care programs. Each year, the Licensing Division provides a significant amount of training and technical assistance to counties regarding the interpretation and application of licensing requirements set forth in state statute and rule.

To illustrate, counties are responsible for accepting and processing license applications and then they recommend to the Licensing Division whether that license application should be granted or denied. The Licensing Division is responsible for issuing the final determination – to grant or deny the family child care license. The same is true for the issuance of negative actions. Counties are responsible for recommending to the Licensing Division an appropriate negative action given the nature, severity, and chronicity of the licensing violations. The Licensing Division is responsible for issuing the final determination. This partnership is critical to ensuring that family child care programs are healthy and safe across the state for all children in care.

More information

Minnesota Statutes, [Chapter 245A](#) and [Chapter 245C](#)

Minnesota Rules, [Chapter 9502](#) (“Rule 2”)

Minnesota Rules, [Sections 9543.0010 – 9543.0150](#)

Providers can use a new [Family Child Care Provider Question](#) feature on the Licensing Division’s web page that allows family child care providers to submit questions to the Licensing Division for further review. These provider questions allow the Licensing Division to determine where more clarification on licensing requirements can be provided.