



The Licensing Link

April— June 2018

Dakota County Social Services

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Summertime is fast approaching! As usual, we wanted to list a couple of reminders that are especially prominent for summertime child care:

- All children (between the ages of 0 and 11 years old) on your property during daycare hours count in your numbers and need the required paperwork.
- Wading pools must have a maximum depth of 24 inches and are capable of being manually emptied and made easily inaccessible.
- Above ground pools in the child care area must be inaccessible. They should be hard sided, a minimum of 4 feet high and inaccessible by removing the ladder from the pool.
- Full-size, above ground pools NOT in the child care area, must have a barrier to prevent access to children in care.
- Full-size, in ground pools, must be inaccessible to children in care by appropriate barrier. Pool covers of any kind do not make the pool inaccessible.
- Please contact your licensing worker if the children in your care are using your pool during child care hours.
- Don't forget sunscreen and bug spray. And don't forget to have the permission forms signed by a parent or guardian to apply the sunscreen and bug spray. You can find a copy of Dakota County's permission form here: <https://www.co.dakota.mn.us/HealthFamily/ChildCare/Providing/Documents/PermissionAdministerOTC.pdf>
- Licensing Rule requires children go outside once daily, weather permitting. Please refer to the weather chart on our website for guidance.

You can find all of this information on our website at www.co.dakota.mn.us/healthfamily/childcare/providing. Or, as always, PLEASE contact your licensing worker with any questions. That's what we're here for!!!!



Taking the Scare out of Licensing Violations

There is much talk in the child care community regarding fix-it tickets, correction orders, fines, conditional licenses and other “negative” actions. Some of these are actual negative actions determined by the Department of Human Services (DHS) and others are ways of noting non-compliance with Rule and Statute. We’re going to try to explain what each of these terms mean and what happens when it happens to you!

When licensing workers come to your child care for any reason (relicensure, off-year, complaint, newsletter prize winner and any other fun reason) and notice non-compliance with any part of the Rule or Statute, a few actions can be taken. First and most importantly, the licensing worker will point out and discuss with you any non-compliance at the time of the visit. If the infraction is a “fix-it ticket” item, a fix-it ticket will be issued. If the infraction is not a fix-it ticket item, but is a rule violation, a correction order will be issued. Correction orders can be written for most violations of the Rule and Statute. Almost every provider in their career will receive a correction order. This is sort of like a speeding ticket when you’re driving, except we ask you how you will fix it. Some of the Rules and Statutes are not intuitive or might not “make sense,” but they are in place to make children safe in your care.

Statute 245A.07 Sanctions

Subdivision 3. License suspension, revocation or fine.

The commissioner may suspend or revoke a license, or impose a fine if:

- (1) a license holder fails to comply fully with applicable laws or rules;
- (2) a license holder, a controlling individual, or an individual living in the household where the licensed services are provided or is otherwise subject to a background study has a disqualification which has not been set aside under section [245C.22](#);
- (3) (3) a license holder knowingly withholds relevant information from or gives false or misleading information to the commissioner in connection with an application for a license, in connection with the background study status of an individual, during an investigation, or regarding compliance with applicable laws or rules.

That’s the official language. Hopefully we can help with clarification. A fine can be recommended for violating any portion of the rules and laws, but is mostly utilized for violations of safe sleep, background studies, and training. Fines must be recommended when there are any sleep space violations and/or when a caregiver has never taken SUID/AHT training. When a fine is ordered by DHS, the provider will receive notification from DHS, with payment options and instructions. If a provider has an outstanding fine at the time of their renewal, the license cannot be renewed until the fine is paid. Please see “Timeframe for Requesting Reconsideration or Appealing a Licensing Sanction.”

Another negative action could come in the form of a conditional license order from DHS. Conditional licenses are often the result of chronic and/or serious violations/correction orders. Conditionals usually result in more licensing visits to the program, extra training, safety plans, and most importantly, following all rules and laws of family child care. When a provider has a conditional order, the program will remain open.

If you are reading this carefully, email your licensing worker with the subject line “peep” and your full name in the body of the email to be entered into our next ABC & Toy Zone drawing!

More serious and/or recurring violations may result in a more serious negative action.

Statute 245A.07 Sanctions, subdivision 2, (a) The commissioner shall act immediately to temporarily suspend a license if: (1) the license holder's actions or failure to comply with applicable law or rule, or the actions of other individuals or conditions in the program, pose an imminent risk of harm to the health, safety, or rights of persons served by the program; or (2) while the program continues to operate pending an appeal of an order of revocation, the commissioner identifies one or more subsequent violations of law or rule which may adversely affect the health or safety of persons served by the program.

Upon receipt of a Temporary Immediate Suspension order from DHS, Dakota County Child Care licensing staff will deliver

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the order to the provider. Dakota County Child Care licensing staff will also call the parents enrolled in the program to inform them of the order. The TIS is the most urgent negative action, as it requires the child care to be shut down “immediately.”

There are appeal rights with all negative actions. If this happens to you, please contact an attorney to know your rights, as Dakota County cannot provide legal advice. Again, please refer to the “Timeframe for Requesting Reconsideration or Ap-

Timeframe for Requesting Reconsideration or Appealing a Licensing Sanction

ACTION TAKEN	NUMBER OF DAYS TO APPEAL	STATUTORY REFERENCE
Correction Order—Request Reconsideration	20 calendar days after receipt of notice	245A.06, subd. 2
Conditional License Order—Request Reconsideration	10 calendar days after receipt of order	245A.06, subd. 4
Conditional License Order with an Order to Forfeit a Fine—Right to a Contested Hearing	10 calendar days after receipt of order	245A.06, subd. 4
Forfeit a Fine Order—Right to a Contested Hearing	10 calendar days after receipt of order	245A.07, subd. 3
Temporary Immediate Suspension Order—Right to Expedited Hearing	5 calendar days after receipt of order	245A.07, subd. 2
Suspension or Revocation Order—Right to a Contested Hearing	10 calendar days after receipt of order	245A.07, subd. 3

#NowTrending

Here are some areas that we are currently seeing and want to bring attention to:

- 1) If the mesh in a crib is torn or has a hole, you can no longer use that crib for child care (and it needs to be made inaccessible). The bottom of the crib inspection form specifically states, “*Manufacturers of mesh sided cribs do not recommend the mesh be altered, therefore if there is a tear in the mesh, it cannot be repaired and may not be used.*”
- 2) Make sure to keep your numbers within your license class. If you have any questions, please call your worker for assistance. If you have a C1 license, you cannot operate at a C2. Opposing, if you have a C2 license, you CAN operate as a C1 at any given time during the day. We understand this can be confusing and we are here to help you if you have questions regarding your license class!
- 3) Emergency shelter areas in your home should be free from toxics/hazards, and should be cleared enough for your group to fit. We do not require storm drill areas to be licensed, but the area used for storms/storm drills needs to be readily usable if needed.

Important Reminder

An important reminder for all license holders. We've had a recent uptick of individuals working in programs without a current background study, SUID, or AHT training. This is a significant concern due to rule violations, but most importantly, due to the risk it exposes to children.

Reminder to all providers that anyone assisting in care is required to have a submitted background study form as well as SUID* and AHT** training completed prior to assisting. **Anyone you are using as a substitute (even for a few hours) requires a cleared background study prior to having unsupervised contact and SUID/AHT training prior to having ANY contact with children in care.**

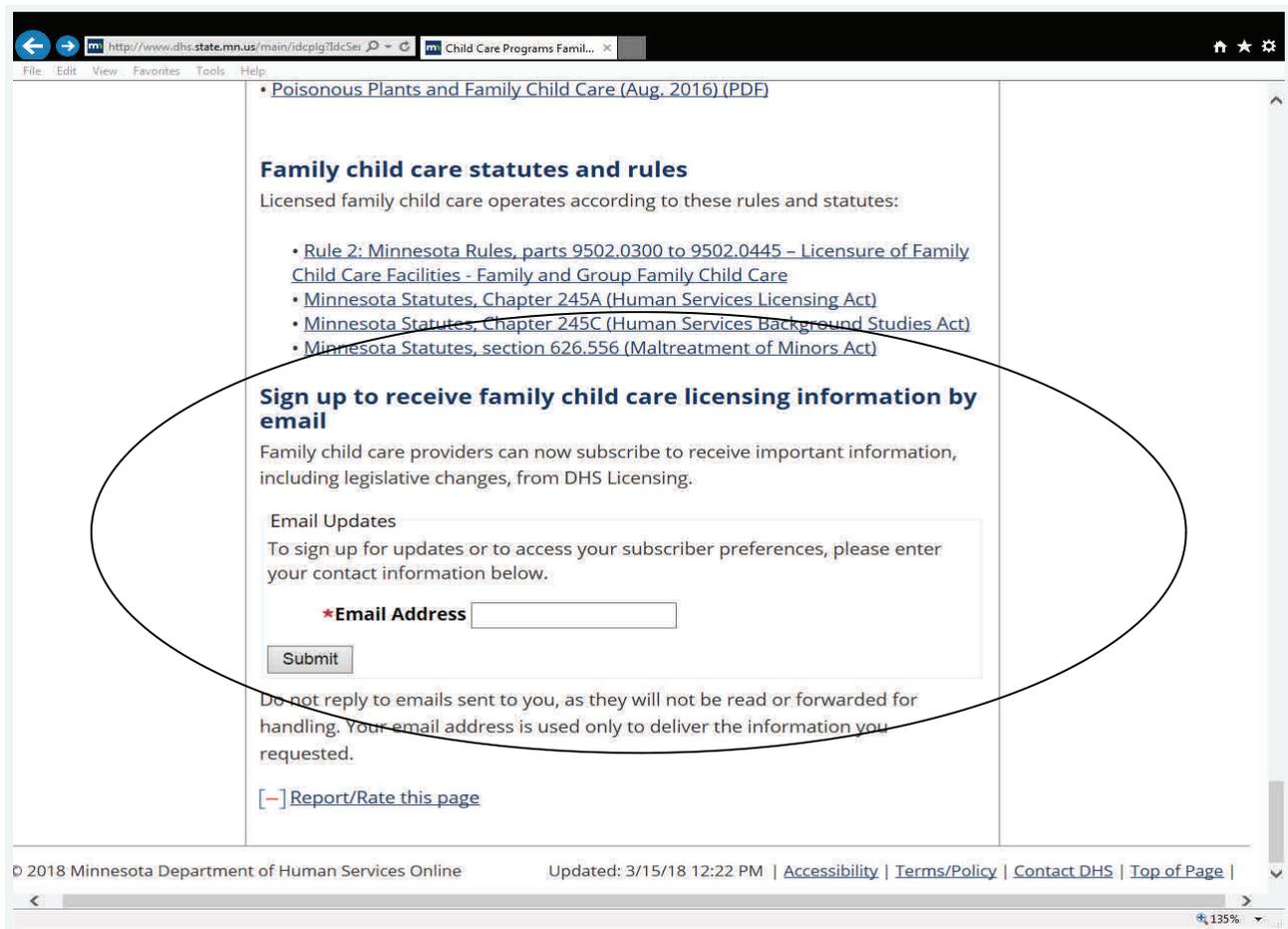
If you have any questions regarding this, please don't hesitate to contact your licensor. Please note that the SUID/AHT training can be taken in-person or online through **DEVELOP**. For a complete list of requirements for each type of caregiver, please see our webpage under [Definitions and Requirements for Co-Applicants, Adult Caregivers, Substitutes and Helpers](#).

*SUID training is required when infants in care (0-12 months)

** AHT is required when caring for children age 5 and under.

DHS Licensed Family Child Care Page

You can receive updates directly from DHS via their Family Child Care website. At the bottom of their page is a place for providers to sign-up to receive emails from them. This is a great way to be the first one in-the-know of new changes, updates to DHS documents, and FAQ's about upcoming legislation.



The screenshot shows a web browser window with the URL http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=DHS-289073. The page content includes a PDF link for "Poisonous Plants and Family Child Care (Aug. 2016)", a section titled "Family child care statutes and rules" with a list of links to Minnesota Rules and Statutes, and a "Sign up to receive family child care licensing information by email" section. This sign-up section contains a text input field for "Email Address" and a "Submit" button. Below the form, there is a disclaimer: "Do not reply to emails sent to you, as they will not be read or forwarded for handling. Your email address is used only to deliver the information you requested." and a link to "Report/Rate this page". The footer of the page includes "© 2018 Minnesota Department of Human Services Online", the date "Updated: 3/15/18 12:22 PM", and links for "Accessibility", "Terms/Policy", "Contact DHS", and "Top of Page".

Here is the link:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=DHS-289073 .

Attend a Free Parent Aware Information Session



Show families that your program is devoted to children's health, safety, and best practices for early learning. Parent Aware is an opportunity to go beyond basic care certification and show families your commitment to excellence.

Child care programs that volunteer for a Star Rating receive coaching, professional development advising, and may receive program improvement funding, state early learning scholarships, and other possible incentives.

SIGN UP TODAY!



360 Communities

If you have questions or would like to RSVP, contact Mischelle at 952.985.4045 or mulrich@360communities.org

Upcoming
FREE
information
sessions

Wednesday, April 18, 2018

6:30-8pm

360 Communities
Burnsville, MN

Thursday, May 3, 2018

6:30-8pm

360 Communities
Burnsville, MN

Saturday, May 19, 2018

9:00-10:30am

360 Communities
Burnsvilles, MN

Orientation

Tuesday, May 29, 2018

6:30-8pm

360 Communities
Burnsville, MN

Parent
Aware 

LOCATION

360 Communities
501 East Highway 13, Suite 102
Burnsville, MN 55337



Congratulations to Noelle Kuechenmeister, Tristin Maatta, and Karla Quinnell for participating in completing the quarterly newsletter quiz from January, February, and March 2018, “The Licensing Link.” The above names were drawn and received an ABC Toy Zone donation of a Melissa and Doug item for free as the winners of our monthly drawing. We would like to say a very special thank you to ABC Toy Zone for generously supplying these toys, as well as being a great resource for our Dakota County Family Child Care Providers.

ABC & Toy Zone
 820 W. 78th Street | Chanhassen, MN 55317 | 952-474-4366



Dakota County Child Care Licensing Directory
 Dakota County Social Services

<http://www.co.dakota.mn.us/healthfamily/childcare/providing>

14955 Galaxie Avenue | Apple Valley, MN 55124

Phone: (952) 891-7400 | Fax: (952) 891-7473

Supervisor: Warren Chaffee	warren.chaffee@co.dakota.mn.us	952-891-7462	
Michelle Engquist	michelle.engquist@co.dakota.mn.us	952-891-7481	Hampton, Mendota Heights, Northfield, Randolph, South St. Paul, Vermillion
Susan Erickson	susan.erickson@co.dakota.mn.us	952-891-7985	Farmington, Lakeville R—Z
Kim Leipold	kim.leipold@co.dakota.mn.us	952-891-7380	Apple Valley, Lakeville A—Q, churches & small groups
Jenna Lyons	Jenna.lyons@co.dakota.mn.us	952-891-7362	Eagan, Inver Grove Heights
Amy Novak	amy.novak@co.dakota.mn.us	952-891-7841	Burnsville R—Z, Rosemount
Jolene Swan	jolene.swan@co.dakota.mn.us	952-891-7361	Burnsville A—Q, Hastings, West St. Paul

Licensing Link April-June 2018 Quiz

Name: _____

Licensing Worker: _____

1. T or F I can operate at a C1 if I have a C2 license.

2. T or F I can operate at a C2 if I have a C1 license.

3. Upon receipt of a correction order, how many days do I have to request reconsideration? _____

4. T or F Emergency shelter areas must be licensed.

5. Wading pools must have a maximum depth of 24 inches and _____ and _____.

6. Correction orders are written by _____.

7. Negative actions are ordered by _____.

8. T or F A caregiver needs AHT training if there are only preschoolers in care.

9. Where can I find updates, legislation and changes from DHS? _____.