

RENVILLE COUNTY HUMAN SERVICES

POLICY AND PROCEDURE

TITLE: Family Child Care Variance Policy

EFFECTIVE DATE: 1-1-2021 REVISION DATE: NA

UNIT/DEPARTMENT: Social Services POLICY & PROCEDURE #: III-10.01

POLICY: Licensed family child care providers have the right to request a variance under MN Rules 9502. The objective of Renville County's variance policy is to address these requests from licensed family child care providers in a thorough manner that ensures the safety of children in care while meeting the needs of children, parents, and providers.

PROCEDURE: Renville County has 30 days from the receipt of all required paperwork to make a decision whether to approve or deny the variance.

To request a variance:

1. Complete the Family Child Care Variance Request form found on the Renville County website:
https://www.renvillecountymn.com/departments/human_services/social_services/daycare_foster_care.php. This will determine if you are eligible to apply for a variance.
2. If you are eligible to apply for a variance, complete the required paperwork including the Variance Request, Attendance/Enrollment Form, and parent questionnaires and submit to the family child care licensing worker at Renville County Human Services.
3. A thorough review of the licensing statutes and rules in reference to the variance request is completed. The Renville County Human Services screening team will review and make a determination based on information gathered.

The following conditions apply to variances granted for family child care capacity and age distribution (9502.0367):

- Variances are typically used to assist families already enrolled to accommodate siblings. However, this does not guarantee a variance will be granted.
- A variance should be requested well in advance of the time it is needed. Variances will not be backdated.
- Variances are only reviewed after the provider has been licensed for a period of six months.
- All past licensing violations, negative actions, and/or complaints will be reviewed and considered in the approval/denial process of the variance request. Providers must have remained free of violations in areas of supervision, infant safe sleep, and capacity for a period of six months to be considered for a variance.
- The number of variances a provider will be able to receive in a year's time will be based on the situation and need as determined by the Renville County Human Services screening team.
- In the variance request providers must explain alternative measures that will be implemented to ensure the safety, health, and care of child care children.

- Variances are for a specific child and will be terminated if/when that specific child disenrolls from the child care home.
- Variances are limited to six months or less unless a situation arises that would require an extended variance (ex. Provider needs a variance for seven months to accommodate an age variance). A variance for any part of the day shall constitute a variance for the entire day.
- All families with children enrolled in child care must be notified of the request for a variance. Parents of enrolled children must submit the parent questionnaire noting they have been made aware of the request and any concerns they have to the child care provider. This documentation must be submitted to Renville County Human Services with the variance request.
- When a granted variance is not used, or partly used, the provider must notify the child care licensor, in writing, to the extent the variance was used.
- A condition of an approved variance is that there are NO new enrollments during the age distribution/capacity variance period.
- Typically, variance requests are for one child and/or one category (ex. age variance/capacity variance). If an age/capacity variance request is submitted for more than one child/category, the Renville County Human Services screening team will review and make a determination based on information gathered.
- Renville County reserves the right to request additional information or documentation prior to approval of the variance request.
- All decisions made by Renville County Human Services are final.

A variance for capacity and age distribution will NOT be granted if any of the following apply:

- Variance requests submitted after the time it is needed. All variance requests must be approved PRIOR to the time it is needed. Failure to do so may result in a correction order or negative action.
- If a variance can be avoided by changing from a C1 license to a C2 license class.
- If the provider has not been licensed for at least six months.
- Variance requests to care for more than three (3) infants at any one time.
- Any variance request for more than fourteen (14) children.
- The provider has incomplete training, an outstanding correction order, pending negative action, or negative licensing actions under appeal.

Renville County reserves the right to edit or rescind this policy as deemed necessary.

CROSS REFERENCES(S): MN Rule 9502.0367, MN Statute 245A.04 Subd 9 and 245A.16 Subd 1.

REVIEWED/APPROVED: 10/27/2020

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