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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 4419

04/16/2018 Authored by Marquart, Franson, Peterson and Albright
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; modifying family child care training and background
1.3 study requirements; amending Minnesota Statutes 2017 Supplement, sections
1.4 245A.50, subdivisions 2, 7, 9; 245C.04, subdivision 8.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2017 Supplement, section 245A.50, subdivision 2, is
1.7 amended to read:

1.8 Subd. 2. **Child development and learning and behavior guidance training.** (a) For
1.9 purposes of family and group family child care, the license holder and each adult caregiver
1.10 who provides care in the licensed setting for more than 30 days of at least eight hours in
1.11 any 12-month period shall complete and document at least four hours of child growth and
1.12 learning and behavior guidance training prior to initial licensure, and before caring for
1.13 children. For purposes of this subdivision, "child development and learning training" means
1.14 training in understanding how children develop physically, cognitively, emotionally, and
1.15 socially and learn as part of the children's family, culture, and community. "Behavior
1.16 guidance training" means training in the understanding of the functions of child behavior
1.17 and strategies for managing challenging situations. At least two hours of child development
1.18 and learning or behavior guidance training must be repeated annually. Training curriculum
1.19 shall be developed or approved by the commissioner of human services.

1.20 (b) Notwithstanding paragraph (a), individuals are exempt from this requirement if they:

1.21 (1) have taken a three-credit course on early childhood development within the past five
1.22 years;

2.1 (2) have received a baccalaureate or master's degree in early childhood education or
2.2 school-age child care within the past five years;

2.3 (3) are licensed in Minnesota as a prekindergarten teacher, an early childhood educator,
2.4 a kindergarten to grade 6 teacher with a prekindergarten specialty, an early childhood special
2.5 education teacher, or an elementary teacher with a kindergarten endorsement; or

2.6 (4) have received a baccalaureate degree with a Montessori certificate within the past
2.7 five years.

2.8 Sec. 2. Minnesota Statutes 2017 Supplement, section 245A.50, subdivision 7, is amended
2.9 to read:

2.10 Subd. 7. **Training requirements for family and group family child care.** For purposes
2.11 of family and group family child care, the license holder and each primary caregiver must
2.12 complete 16 hours of ongoing training each year. For purposes of this subdivision, a primary
2.13 caregiver is an adult caregiver who provides services in the licensed setting for more than
2.14 30 days of at least eight hours in any 12-month period. Repeat of topical training requirements
2.15 in subdivisions 2 to 8 shall count toward the annual 16-hour training requirement. Additional
2.16 ongoing training subjects to meet the annual 16-hour training requirement must be selected
2.17 from the following areas:

2.18 (1) child development and learning training under subdivision 2, paragraph (a);

2.19 (2) developmentally appropriate learning experiences, including training in creating
2.20 positive learning experiences, promoting cognitive development, promoting social and
2.21 emotional development, promoting physical development, promoting creative development;
2.22 and behavior guidance;

2.23 (3) relationships with families, including training in building a positive, respectful
2.24 relationship with the child's family;

2.25 (4) assessment, evaluation, and individualization, including training in observing,
2.26 recording, and assessing development; assessing and using information to plan; and assessing
2.27 and using information to enhance and maintain program quality;

2.28 (5) historical and contemporary development of early childhood education, including
2.29 training in past and current practices in early childhood education and how current events
2.30 and issues affect children, families, and programs;

2.31 (6) professionalism, including training in knowledge, skills, and abilities that promote
2.32 ongoing professional development; and

3.1 (7) health, safety, and nutrition, including training in establishing healthy practices;
 3.2 ensuring safety; and providing healthy nutrition.

3.3 Sec. 3. Minnesota Statutes 2017 Supplement, section 245A.50, subdivision 9, is amended
 3.4 to read:

3.5 Subd. 9. **Supervising for safety; training requirement.** (a) Before initial licensure and
 3.6 before caring for a child, all family child care license holders and each adult caregiver who
 3.7 provides care in the licensed family child care home for more than 30 days of at least eight
 3.8 hours in any 12-month period shall complete and document the completion of the six-hour
 3.9 Supervising for Safety for Family Child Care course developed by the commissioner.

3.10 (b) The family child care license holder and each adult caregiver who provides care in
 3.11 the licensed family child care home for more than 30 days in any 12-month period shall
 3.12 complete and document:

3.13 (1) the annual completion of a two-hour active supervision course developed by the
 3.14 commissioner; and

3.15 (2) the completion at least once every five years of the two-hour courses Health and
 3.16 Safety I and Health and Safety II. A license holder's or adult caregiver's completion of either
 3.17 training in a given year meets the annual active supervision training requirement in clause
 3.18 (1).

3.19 Sec. 4. Minnesota Statutes 2017 Supplement, section 245C.04, subdivision 8, is amended
 3.20 to read:

3.21 Subd. 8. **Current or prospective contractors serving multiple family child care**
 3.22 **license holders.** (a) Before the implementation of NETStudy 2.0, current or prospective
 3.23 contractors who are required to have a background study under section 245C.03, subdivision
 3.24 1, who provide services for multiple family child care license holders in a single county or
 3.25 in multiple counties, and will have direct contact with children served in the family child
 3.26 care setting are required to have only one background study which is transferable to all
 3.27 family child care programs in ~~that~~ any county if, if the contractor's background study is
 3.28 repeated every two years. The county agency that conducted the initial background study
 3.29 must maintain a record of the contractor's background study results which verify the
 3.30 contractor is approved to have direct contact with children receiving services, and the license
 3.31 holder must contact the county agency that conducted the initial background study and
 3.32 obtain notice that the current or prospective contractor is in compliance with background
 3.33 study requirements and approved to have direct contact.

4.1 ~~(1) the county agency maintains a record of the contractor's background study results~~
4.2 ~~which verify the contractor is approved to have direct contact with children receiving~~
4.3 ~~services;~~

4.4 ~~(2) the license holder contacts the county agency and obtains notice that the current or~~
4.5 ~~prospective contractor is in compliance with background study requirements and approved~~
4.6 ~~to have direct contact; and~~

4.7 ~~(3) the contractor's background study is repeated every two years.~~

4.8 (b) For a family child care license holder operating under NETStudy 2.0, the license
4.9 holder's active roster shall be the system used to document when a background study subject
4.10 is affiliated with the license holder.