



Licensed Child Care Variance Process

Purpose:

To process variance requests to allow licensed family child care programs to temporarily deviate from a specific rule, under certain conditions, unless excluded from the delegation authority under MN Statutes, section 245A.16, subdivision 1. (MN rules, part 9543.0300;9543.0050).

Objective:

To follow the intent of the rule. To be thoughtful and thorough with requests, ensuring the health and safety of children in care, while meeting the needs of children, parents and providers.

Variances will be carefully considered and granted or denied at the discretion of Beltrami County Health and Human Services.

Process:

To request a variance:

- a. Find the forms online at MN DHS edocs Forms: # 7297 #7297A and #7297B **OR**
Call your licensor to have forms mailed or emailed to you.
- b. Complete the following forms. (total 5 pages)
 - #7297 Variance Request: Child Care
 - #7297A Family Child Care Weekly Attendance Schedule
 - #7297B Variance Request Notice for Parents
- c. Submit the forms to a licensor by mail, email or agency drop box. 2 drop boxes available, one outside the building by main entrance and one on second floor in the Self Service Center.

This agency will:

- a. Review the variance request by a committee of up to 5 persons. The committee has scheduled meetings twice per week.

The County has up to 30 days to act on a request unless there are extenuating circumstances.
Please plan accordingly.

- b. Notify you of approval or denial of the request, by mail or email.

Conditions:

Providers must explain alternative measures that will be implemented to ensure the health, safety and care of children.

Variance are for a specific child or children. Should that family unit no longer receive services from the provider, the variance will be void. If new children are enrolled while a variance is in place, a new variance should be completed to reflect the current enrollment.

Variance are time limited. As a general rule, variance are not granted for more than a 6 month timeline.

Child care provider must show evidence that they are able to provide the following:

- Plan for supervision
- Sleeping accommodations for all children in care
- Additional services necessary for any special needs children in care, specifying how these needs will be met during the variance period.

Considerations:

The license holders licensing history will be reviewed. And all past licensing violations, negative actions or complaints will be reviewed and considered in the approval/denial of a variance request.

Length of license experience-prior experience-education.

Is the request to add a sibling in care or a new family?

Additional considerations for children with special needs.

Variance during non-traditional hours will be considered on a case by case basis, using all criteria listed in this document.

Emergency variance requests might be issued under the following circumstances: School closings, acts of nature (snow storms, tornado's, floods,) family situations.

Requests not granted if:

The effective date is prior to the date the request was received by this agency.

You want to exceed overall capacity.

For one person to care for more than two infants.

During pending negative licensing recommendations or existing negative licensing actions.

While on conditional status.

During an investigation.

If there are documented rule violations of: supervision, corporal punishment, maltreatment or other health or safety factors.

History of performance issues via complaints or parent evaluations.

Correction Orders:

Will be issued to any license holder who requests a variance to be over capacity “after the fact”.

It is the license holder’s responsibility to request a variance prior to any situation where capacity may not be maintained. Failure to maintain capacity is a licensing violation.

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