

CARLTON COUNTY PUBLIC HEALTH AND HUMAN SERVICES FAMILY CHILD CARE VARIANCE POLICY

Variances are described in MN Rule Parts 9502.0335, subp. 8 as follows:

A variance is a written tool to be used for requesting prior authorization to allow for a short-term, temporary deviation from a specific part of the licensing rule.

- The License Holder must request a variance in writing on DHS forms
- Carlton County Public Health and Human Services has up to 30 days to approve or deny a variance (9502.0335 Subp. 8a – Variance Procedure).
- Only COMPLETE variances will be considered for approval. A complete variance request includes:
 - Variance Request – Family Child Care;
 - Family Child Care Weekly Attendance Schedule;
 - Variance Request Notice for Parents
- Variances will **not** be approved if any of the following apply:
 - The first year of licensure;
 - During a pending or existing negative licensing recommendation;
 - During an investigation;
 - Following Rule Violations of Supervision, corporal punishment, maltreatment or other relevant health safety factors for at least one year.
- No Variance is AUTOMATIC. If you are out of compliance of a rule without an approved variance, it can have a negative effect on your license.

Capacity

- Variance will **only** be considered to be granted if the need for the variance is to:
 - Cover short overlaps of time when children are entering or leaving the residence; and/or
 - Cover emergencies for a short period of time.
- A variance for any part of the day shall constitute a variance for the entire day.
- A variance for capacity can only be granted if it does not exceed 90 days in any 12 month period.
- All variances must be approved before the enrollment of the child. We will **NOT** back-date variances.
- No additional children can be substituted or added during the variance period without prior written authorization from Carlton County Public Health and Human Services.
- The license holder may never be over in more than one category (infant/toddler/preschool/school-age)
- No variances will be granted if the total capacity exceeds 14 children.

If child care providers have more than 14 children, a different fire code would be effective, meaning provider would need lighted exits, push-bar exits on doors, sprinkler system, pull down fire alarms, etc.

*** You must apply for a Center License through DHS if you want to care for more than 14 children. ***