

Licensing Unit
Family Child Care Procedures/Policies
Variations

Statutes:

Administrative Rule 9502.0335 Subp. 8 Variance Procedure – The license holder must request the variance prior to the situation where it is necessary in accordance with legally required variance standards and procedures.

Minnesota Statute 245A.06 Delegation of Authority to Agencies

Washington County Guidelines:

1. Variations are granted at the discretion of Washington County and the guidelines can be updated at any time.
2. All allowed variations will be considered and discussed as a team each week. The team consists of the Licensing Unit Supervisor and all child care licensors. Variations to statute are not allowed (for example SUID/AHT training). The child care team is responsible for approving or denying variations. For an emergency situations, such as weather emergencies or school closings, contact your licensor for consideration within 24 hours.
3. Washington County has 20 days to act on any variance request. Variance requests will not be approved for more than 6 months prior to the start of the variance.
4. Providers must explain specific, alternative measures that will be implemented to ensure the safety, health and care of the children in care.
5. A variance will not be backdated. The variance must be approved prior to the time it is needed.
6. All guardians of children enrolled must be notified of the request for a variance. Parents must sign the notification form stating they are aware of the request.
7. Variance will not be granted to providers during a pending recommendation of or existing licensing action.
8. A variance will not be granted to a provider who has a correction order in the last 12 months for being over capacity, lack of supervision, maltreatment or corporal punishment.
9. No additional children can be added to the child care during the variance period without first consulting with licensing. Variations are child specific and limited to only the children listed on the variance form.
10. All required training, including CPR, First Aid, SUID/AHT and Supervision must be up to date.
11. The county will consider the option of having the provider change their license classification if that will avoid the need for a variance.
12. Capacity Variance: Variations are limited to a total of **30 Calendar Days** in any 12 month period. Extensions will not be given for additional time.

13. Capacity Variance: No variance will be granted for a total of more than 14 children due to State Fire Marshal regulations. Capacity ratio variances will only be given for one additional child in any given age group.
14. Capacity Variance: Providers must have been licensed for at least one year to receive a capacity variance. Consideration will be given if a provider has prior experience or education.
15. Pet Variance: Per consultation with Public Health, variances will not be given for reptiles or amphibian pets in the home.