

S.F. No. 1211, as introduced - 87th Legislative Session (2011-2012) [11-2641]

2.1 ~~(b)~~ (1) the license holder is an employer who may or may not be the primary
2.2 provider of care, and the purpose for the child care program is to provide child care
2.3 services to children of the license holder's employees;

2.4 ~~(c)~~ (2) the license holder is a church or religious organization;

2.5 ~~(d)~~ (3) the license holder is a community collaborative child care provider. For
2.6 purposes of this subdivision, a community collaborative child care provider is a provider
2.7 participating in a cooperative agreement with a community action agency as defined in
2.8 section 256E.31; or

2.9 ~~(e)~~ (4) the license holder is a not-for-profit agency that provides child care in a
2.10 dwelling located on a residential lot and the license holder maintains two or more contracts
2.11 with community employers or other community organizations to provide child care
2.12 services. The county licensing agency may grant a capacity variance to a license holder
2.13 licensed under this ~~paragraph~~ clause to exceed the licensed capacity of 14 children by no
2.14 more than five children during transition periods related to the work schedules of parents,
2.15 if the license holder meets the following requirements:

2.16 ~~(1)~~ (i) the program does not exceed a capacity of 14 children more than a cumulative
2.17 total of four hours per day;

2.18 ~~(2)~~ (ii) the program meets a one to seven staff-to-child ratio during the variance
2.19 period;

2.20 ~~(3)~~ (iii) all employees receive at least an extra four hours of training per year than
2.21 required in the rules governing family child care each year;

2.22 ~~(4)~~ (iv) the facility has square footage required per child under Minnesota Rules,
2.23 part 9502.0425;

2.24 ~~(5)~~ (v) the program is in compliance with local zoning regulations;

2.25 ~~(6)~~ (vi) the program is in compliance with the applicable fire code as follows:

2.26 ~~(1)~~ (A) if the program serves more than five children older than 2-1/2 years of age,
2.27 but no more than five children 2-1/2 years of age or less, the applicable fire code is
2.28 educational occupancy, as provided in Group E Occupancy under the Minnesota State
2.29 Fire Code 2003, Section 202; or

2.30 ~~(2)~~ (B) if the program serves more than five children 2-1/2 years of age or less, the
2.31 applicable fire code is Group I-4 Occupancies, as provided in the Minnesota State Fire
2.32 Code 2003, Section 202; and

2.33 ~~(7)~~ (vii) any age and capacity limitations required by the fire code inspection and
2.34 square footage determinations shall be printed on the license.