

What is “THE RULE”?

Licensed Child Care Providers often hear mention of “the rule”. The “rule” refers to rule #2 or the set of state rules and laws governing family child care. Over the years there have been legislative changes that have affected child care. Many are reflected in state law (statute) including the Human Services Licensing and Background Studies Acts. There are also laws pertaining to child care that the Department of Health oversees and are found in Chapter 4717 and 144. Some of the rules and statutes that apply to licensed family child care are listed below. There is also a web address listed for each so that providers can view the most recent version of the laws.

Website: <http://www.revisor.leg.state.mn.us>

Chapter 245A Human Services Licensing Act

This is the LAW that defines the child care licensing application process, sanctions and due process. The law may be added to and deleted from on a yearly basis by the state legislature.

If there is a disagreement between the law and the rule, a state statute (the law) takes priority over the rule. As always, if you have a question, ask your licenser for clarification.

This law specifies which items should be addressed in the “RULE” (9502.0300 – 9502.0455). You can get a copy of this law on the state website.

Chapter 245C Human Services Background Studies Act. These are the laws that define background study requirements and disqualifications

Website: <http://www.revisor.leg.state.mn.us/stats>

Rule #2 9502.0300 – 9502.0445

The purpose of parts 9502.0325 to 9502.0445 is to set up procedures and standards for the licensing of family day care and group family day care homes. This will make sure that minimum levels of care and service are given and that the protection, proper care, health, safety, and development of the children are assured.

Rule #2 states how the LAW (Chapter 245A) will be met.

Website: <http://www.revisor.leg.state.mn.us/arule/9502/>

Chapter 4717 Department of Health

Environmental Health Rules Information about pools.

Website: <http://www.leg.state.mn.us/leg/statutes.asp> (under MN Rules – chapter 4717)

For further information refer to your copy of the Rule and Rule Supplement.
