

Brown County Child Care Variance Policy

The goal of Brown County's variance procedure is to meet the needs of parents and providers, while keeping the safety of the children as the first priority. We take into consideration the health, safety and welfare of all children in care by having you explain alternative measures that you will provide to ensure the safety of all children in the child care home.

The following guidelines apply to capacity variances in Brown County:

1. Please do not request a variance more than three months in advance. Your child count numbers can change quickly.
2. A variance will not be granted for one person to care for more than two infants at one time.
3. Brown County will only grant a variance in one age group per request.
4. Capacity can never exceed 14 children.
5. Length of time for the request will not exceed 90 days in a 12 month period (Jan-Dec)
6. No additional children can be added during the variance period without prior written approval. Variances are child specific and limited to only the children listed on the variance form.
7. Capacity variances are not granted for first year providers.
8. There are no outstanding correction orders and/or negative licensing actions. There have not been any correction orders issued for lack of supervision or overcapacity in the past 12 months.
9. All parents/guardians of children currently enrolled in the program are aware of your variance request and have signed their approval on the notification form.
10. When an approved variance is not used or partially used, the provider must notify the licenser to the extent the variance was used since it may impact future requests.

The following information will be considered when reviewing the variance request:

1. Ages of children in care
2. Length of request (days, hours, etc.)
3. Provider's plan to meet the physical, social and emotional need of children in care
4. Physical environment of the home
5. Sibling groups
6. Number of previous variance requests in the last 12 months

Brown County has the discretion to make exceptions/additions to this policy especially for dually licensed foster care and child care programs. A variance is to your benefit. Please assist us by reviewing and following the above guidelines. Brown County's decision to grant or deny a variance is final and not subject to appeal.

Please complete the Variance Request forms DHS-7297, DHS-7297A and DHS-7297B and return them to Brown County Human Services. If you prefer to complete these forms on-line, you can find them on the DHS Child Care Licensing web page. Here is a link to that web page where you can find the variance forms in a fillable format: <https://mn.gov/dhs/partners-and-providers/licensing/child-care-and-early-education/family/>

You will receive written notice of the approval or denial of your variance.

When discussing the variance request with parents, you should not be using the names of the children involved. Only provide them with the information related to the request; such as the time frame for the request, age of the additional child, and how you will ensure all children receive same quality of care during variance period. *The reason for this addition is that parents need to be aware of what is happening in the child care home. It also alleviates complaints of overcapacity if families are aware of the number of children a provider is able to care for.

When completing the request form, please provide a specific plan that will outline the measures you will take so the health, safety and protection of all children in care is ensured if the variance is granted.

When completing the enrollment list, use the first and last names of all children in care. List siblings together and bracket their names. Place a star by the name of the child who will take you over your capacity.

Each variance is written for a specific situation. You need to alert the licensor if anything changes. If a family were to discontinue care, you cannot take in new children and continue operating under the same variance. Once you are back in capacity, your variance becomes null and void and you need to remain within your correct capacity.