

DISQUALIFICATIONS

As part of the licensing process, our agency must conduct background studies on the applicant and anyone age 13 or older living in the household or assisting with the children in care. The background study will determine if there is a disqualification that would eliminate anyone from being able to have contact with the children in care. You must provide this agency the names of everyone living in the household or providing care to the children regardless the length of time.

What is a disqualification?

A disqualification is an event in a person's background that makes a person ineligible to have contact with children in a licensed child care. These are actions that caused a person to be arrested and charged with a crime. They also might be actions that led to a child protection or adult protection investigation.

Does that mean if a person in my household has been arrested or investigated by child protection, I won't be able to get a child care license?

Not necessarily. Not all arrests or investigations are disqualifications. The background study will look at what the charge was and how long ago it happened. Disqualifications generally are actions or crimes committed against a person, crimes involving drugs and crimes involving theft. Minnesota law determines how far back we look at specific actions. Less serious charges or crimes might only be a disqualification if they happened in the last seven or ten years. More serious crimes could be an issue even if they are fifteen years or older.

Even if there is a disqualification in your background study, you may still be able to be licensed. The state will review disqualifications on a case by case basis. You will be provided information on how to request reconsideration of a disqualification.

How will I know if you find a disqualification?

You will be notified in writing if you or anyone associated with your license has been disqualified. The disqualified person will receive a letter describing the disqualifying event and when it occurred. It will explain how to request reconsideration of the disqualification if the person feels the information is not accurate or they do not pose a risk of harm to children in care. If it is someone other than the applicant with the disqualification, the applicant will be informed there is a disqualification but will not reveal what the disqualification is. If the disqualified individual is your child and under the age of 18, you are able to receive information regarding the disqualifying event.

How do I expedite the process if I know I have a disqualification?

Inform your licensing worker of the disqualifying event. Be honest and provide all the information so the licensing worker can assist you with the process. Licensing rules prohibit applicants from providing false or misleading information and this could be a reason an application is denied.

*Please see Minnesota Statutes 245C.15 for additional information and specific disqualifying offenses.