

Par.1. **Material Transmitted and Purpose** – Transmitted with this Manual Letter are changes to Service Chapter 620-01, Early Childhood Services. Revisions are in **red**, new language is underlined and old language is struck through. If the section is new the description below will add to the online manual.

Par. 2. **Effective Date** – Changes included in this manual letter are effective on 11/24/2023.

**Acronyms 620-01-10**

CACFP	Child and Adult Care Food Program
<del>CAN</del>	<del>Child Abuse and Neglect</del>
CCA	Child Care Aware of ND
CCAP	Child Care Assistance Program
CBCU	Criminal Background Check Unit
CDA	Child Development Associate
<del>CFS</del>	<del>Children and Family Services</del>
CPS	Child Protection Services
<del>CPSC</del>	<del>U.S. Consumer Products Safety Commission</del>
<del>DHHS</del>	<del>Department of Health &amp;</del> Human Services
<del>DPI</del>	<del>Department of Public Instruction</del>
ECS	Early Childhood <b>Services</b>
N.D.A.C.	North Dakota Administrative Code

N.D.C.C. North Dakota Century Code

MOU Memorandum of Understanding

**Minimum Standards for Operation of an Early Childhood Services Program 620-01-15-01**

N.D.C.C. 50-11.1-08(1)

In appropriate circumstances and upon good cause shown, specific minimum standards may be substituted by alternate, equivalent standards, approved by the Department.

Early Childhood Services Rules:

N.D.A.C. Chapter <u>75-03-07</u>	In-home
N.D.A.C. Chapter <u>75-03-07.1</u>	Self-declaration <del>Early Childhood Services</del>
N.D.A.C. Chapter <u>75-03-08</u>	Family Child Care
N.D.A.C. Chapter <u>75-03-09</u>	Group Child Care
N.D.A.C. Chapter <u>75-03-10</u>	Child Care Center
N.D.A.C. Chapter <u>75-03-11</u>	Preschool <del>Early Childhood Services</del>
N.D.A.C. Chapter <u>75-03-11.1</u>	School-age Child Care Program

**Program Responsibilities 620-01-20**

Early childhood ~~licensing services~~-regulation is structured in three levels: ~~the Early Childhood Licensing Specialist~~~~county social service agencies (authorized agent)~~, ~~the Early Childhood Licensing Supervisors~~~~regional human service centers~~, and the ~~Licensing Administrator~~~~state office of early childhood services~~.

**~~Authorized Agent (Licensing Specialist) 620-01-20-01~~**

1. Have available, be knowledgeable and implement North Dakota Century Code Chapter 50-11.1, current early childhood services rules and policies and procedures.
2. Interpret and explain policies and rules to early childhood services providers and to the general public.
3. Assure prospective applicants successfully complete Orientation.
4. Receive and review applications, all appropriate supporting documents, and fees for early childhood services within the Child Care Licensing System (CCL).
5. Conduct early childhood services licensing visit and complete licensing checklist/provider review. Complete licensing/self-declaration summary and submit materials within CCL.
6. Conduct at least one unannounced visit per license/self-declaration year on each program. Refer to Policy 620-01-116 for Unannounced Visit Policy details. Maintain and submit the licensing checklist/provider review in CCL for the Early Childhood Supervisor's review.
7. Review and submit completed checklists for registration of in-home provider and submit to the Early Childhood Licensing Supervisor within CCL.
8. New Licensing Specialists will attend orientation provided by the Early Childhood Licensing Supervisor.
9. New Licensing Specialists will set up a Growing Futures account and will complete Getting Started.
10. Attend all required meetings and trainings relative to early childhood licensing and Early Childhood Section.
11. Use the Child Care Licensing System to review applications, all documents and processes, including concerns, corrective actions and inspections as they pertain to licensing and self-declaration.

12. Maintain licensing records of early childhood service providers within CCL and SharePoint.
13. Complete SFN1269 within CCL and staff all initial concerns with the Early Childhood Supervisor and investigate all concerns or complaints regarding any suspected rule violation.
14. Testify as necessary in appeals and other legal proceedings.
15. Issue all correction order notices as appropriate.
16. Recommend to the Early Childhood Supervisor: approval, denial, revocation, injunction, or suspension of license.
17. Send parent notification letters as needed and as they pertain to CPS investigations.
18. Assist other appropriate local agencies and organizations in developing early childhood services and training activities.
19. Collaborate with Child Care Assistance Program, Child Care Aware, Growing Futures and QRIS program and other agencies as appropriate.
20. Work in cooperation with local law enforcement, state's attorney, health and fire departments when appropriate.
21. Work in cooperation with child protection unit within county, region, and state as it relates to assessments of early childhood services programs.

**Early Childhood Licensing State Team 620-01-20-15**

The Early Childhood Licensing State Team membership consists of:

Licensing Administrator

Early Childhood Licensing Supervisors  
Early Childhood Licensing Specialists  
Resource ~~and~~ Referral and Data Specialist

The objectives for the Early Childhood Licensing State Team are:

1. To assist potential Child Care Providers and current Child Care Providers obtain and maintain a license/certificate to provide child care within the minimum health and safety standards adopted by HHS.
2. To identify and address challenges and issues as it relates to early childhood licensing.
3. Monitor child care programs to ensure health and safety standards are followed using the Child Care Licensing System.

**Early Childhood ~~Services~~ Licensing 620-01-35**

A license is required when early childhood services are provided for more than five children under the age of twelve, or more than three children under the age of twenty four months.

Licenses will be issued for the ages of 0-12 years. It is the provider's discretion what ages they will care for within that range, with the exception of preschool and school age licenses.

**REPEAL: ~~Child Care Licensing 620-01-35-01~~**

~~Licensing packets shall be made available at the county agency and should include the following:~~

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- ~~1. N.D.A.C. as applicable~~
- ~~2. N.D.C.C ch. 50-11.1~~
- ~~3. Cover Letter~~
- ~~4. SFN 832 Application to be Licensed~~

- ~~5.—SFN 845 Child Information Sheet~~
- ~~6.—SFN 847 Parent's Statement on Health of Child~~
- ~~7.—SFN 16038 Certificate of Immunization~~
- ~~8.—IRS Form W-9 Request for Taxpayer ID # & Certification~~
- ~~9.—SFN 1425 Compliance Check List/Group Child Care~~
- ~~10.—SFN 1422 Compliance Check List/Family Child Care~~
- ~~11.—Pre-Licensing Checklist—Group CC Home~~
- ~~12.—Pre-Licensing Checklist—Family CC Home~~
- ~~13.—Basic Child Care Information~~
- ~~14.—Annual Training Form~~
- ~~15.—SFN 508 Authorization for Background Check (2 given in pkt)~~
- ~~16.—Instructions and forms for fingerprint background check~~
- ~~17.—SFN 115 Family/Group Child Care Facility Fire Safety Checklist~~
- ~~18.—Ch. 75-03-09 ND Group Child Care (Light Blue)~~
- ~~19.—Ch. 75-03-09 ND Family Child Care (Gold)~~
- ~~20.—SFN 517. Child Care Evacuation Disaster Plan~~
- ~~21.—SFN 383 Serious Accident Injury or Illness Report~~
- ~~22.—SFN 438 Incident Report Form~~
- ~~23.—Sample Policy Statement~~
- ~~24.—Brochures:~~
  - ~~Child and Adult Care Food Program (CACFP)~~
  - ~~Bright and Early brochure~~
  - ~~Growing Futures brochure~~
  - ~~Head Start and Early Head Start brochure~~
  - ~~Financial Assistance flyer~~

### **Application for Licensing 620-01-35-02**

1. Application for a license shall be made in the Child Care Licensing Online System. ~~All persons/groups wishing to be licensed to provide Early Childhood Services shall make application on SFN 832, Application to Provide Early Childhood Services.~~
2. Application shall be made for a one year or two year license.
3. A Provisional License or Self-Declaration Document shall be issued for the operation of an initial child care for a 6-month period, if the program is unable to, show evidence of compliance to applicable standards and rules of the department at the time of licensure. This includes but is not limited to evidence

of staff requirements being met. Refer to Early Childhood License Policy 620-01-80-01.

4. Applications for Early Childhood Services must be signed by the owner/operator. The application must be signed by the individual or board designee who has the legal responsibility and administrative authority for the childcare. Applications cannot be signed by the Director/Acting Director or Group Supervisor of the childcare.
5. The complete application packet must be accompanied by the licensing fee ~~to~~ begin the licensing study, before a licensing visit can occur.
6. The Licensing Specialist shall inform the applicant when there are additional local or regional requirements which must be met, for example fire inspections, food and lodging preplan visits, and city ordinances.
7. Upon completion of licensing study, there may be deficiencies identified and in need of correction prior to issuing a license.
8. The license and license number are not transferable from one residence to another or one provider to another.
9. A request in writing to a Licensing Specialist is required if the applicant chooses to withdraw their application, after the application has been submitted in CCL.
10. The application fee is non-refundable.

**Licensing Fees 620-01-35-05**

According to N.D.C.C. § 50-11.1-03(3), an applicant for a license shall submit the following non-refundable fees with the application:

<b>LICENSE TYPE</b>	<b>FEE/1 YR.</b>	<b>FEE/2 YR.</b>
In-home registration	N/A	N/A

Self-declaration	\$15	N/A
Family	\$20	\$35
Group	\$25	\$45
Preschool	\$30	\$55
Center	\$40	\$75
School Age Child Care Center	\$40	\$75
Multiple	\$50*	\$95*

Public approval facilities which are operated by governmental agencies such as college, universities, migrant schools, Head Start, or park districts will not be assessed a licensing fee.

According to N.D.C.C. § 50-11.1-03(105), all fees collected under subsections 7 and 8-3 must be paid to the ~~department authorized agent~~ and must be used to defray the cost to that board investigating, inspecting, and evaluating the applications.

\*Fee was established by policy.

**Time Frames for Licensing Process 620-01-35-10**

Upon receipt of the application of licensure, the following time frames shall be followed ~~after the provider initiates the process by contacting the Licensing Specialist:~~

1. A licensing visit must be completed within 30 calendar days once the Licensing Specialist has received all required materials for licensing.
2. The Licensing Supervisor must respond to the licensing study within 30 calendar days upon receipt of all the licensing studies materials.
3. The Licensing Specialist shall contact the Licensing Supervisor if it appears time frames are unable to be met.
4. The earliest effective date of an early childhood license will be the date the Licensing Supervisor reviews and signs the completed application packet.

**Required Licensing Documents Needed to Issue a License Procedures Following Completion of a Licensing Checklist for Licensing Study 620-01-35-15**



The following items shall be reviewed and initialed by both the Licensing Specialist and the Licensing Supervisor. Upon satisfactory review, the Licensing Supervisor will then complete the final review prior to license issuance. A licensing visit will not be conducted and a license will not be issued until a provider submits all required licensing documentation:

1. Application to be Licensed, SFN 832
2. Fire Inspection Report
3. Documentation of pediatric CPR/AED Cards
4. Documentation of pediatric First Aid Cards
5. Cleared CBCU memorandums for all owners/operators, staff members, emergency designees, volunteers, and household members 18 years old and older that reside in the home where care is provided over the age of 12 if care is provided in a private residence
6. An SFN 433 must be submitted annually for any individual residing in a home where care is provided who is age 12 through 17
7. Copy of Policies and Procedures upon initial licensure or change in policies/procedures
  - a. Policies and Procedures shall be reviewed and initialed by both the Licensing Specialist and Licensing Supervisor.
- ~~7.8.~~ Documentation to verify qualifications of staff members
- ~~8.9.~~ Programming schedule upon initial licensure or change of hours
- ~~9.10.~~ Floor Plan with square footage upon initial licensure of residence/facility, expansion of facility or other change in square footage
- ~~10.11.~~ SFN 517, Child Care Evacuation Disaster Plan
- ~~11.12.~~ Childcare Provider/Facility Staffing (SFN 1259) or equivalent
- ~~12.13.~~ Documentation of department approved training to meet training

requirements for each provider and staff member

~~13.~~14. Completed Licensing Checklist (SFN 1422, SFN 1423, SFN 1424, SFN 1425 or SFN 1257)

a. Child file reviews

- i. A review of no less than 30 files must be conducted on site.
- ii. If the abbreviated review reveals incomplete records, an additional 30 files must be reviewed.
- iii. This process will continue, 30 files at a time, until no incomplete records are found or until all files have been reviewed.
- iv. For facilities with less than 30 children enrolled, all files will be reviewed.

When applicable, the following additional items may be required:

1. Copy of pet immunizations
2. Copy of water test
3. Copy of all county forms
4. ~~Health/sanitation~~ Food Inspection report
5. Liability Insurance

The provider should not be told that they are receiving a license until the required items are completed and the Licensing Supervisor approves the application.

The licensing study is an important key in determining if the provider should be given a license to operate a program as requested. The initial licensing study should be comprehensive; however, it is somewhat limited as some rules cannot be applied until after the program is operating.

**Annual Review of a 2-Year License:** The 2-year license annual review requirement is a scheduled review for the purpose of monitoring ~~the~~ licensing requirements. Review 620-01-35-15 for list of requirements needed as part of an annual review of a 2-year license. NOTE: Some documents may be in the Provider Record from initial licensing however they shall be reviewed annually.

- 120 days prior to the one-year anniversary of a license: The Licensing Provider receives the Annual Review Letter from the Licensing System. Specialist will send the provider the Annual Review Letter.
- 60 days prior to the one-year anniversary of a license: All required documentation must be received. If all required documentation has not been received, the Licensing Specialist-System will send the provider the Past Due Annual Review Notice.

- 30 days prior to the one-year anniversary of a license: If all required documentation has not been received, the Licensing [Specialist System](#) will send the provider the 30-Day Alert.
- A licensing visit will not be conducted and a license will not be issued until a provider submits all required licensing documentation.

### **Renewal of License Policy 620-01-35-25**

A renewal of a license is required prior to the current license expiration date to continue to operate a licensed child care program.

Review 620-01-35-15 for list of requirements needed as part of a renewal NOTE: Some documents may be in the Provider Record from initial licensing however they shall be reviewed annually.

120 days prior to the expiration of a license: The Licensing [Specialist System](#) will send the provider the Renewal Letter.

60 days prior to the expiration of a license: All required documentation must be received. If all required documentation has not been received, the Licensing [Specialist System](#) will send the provider the Past Due Renewal Notice.

30 days prior to the expiration of a license: If all required documentation has not been received, the Licensing [Specialist System](#) will send the provider the 30-Day Alert/Late Application Notice.

Upon the expiration date of a license: If all required documentation has not been received, the Licensing [Specialist System](#) will send the provider a Did Not Renew Letter.

A licensing-licensing visit will not be conducted and a license will not be issued until a provider submits all required licensing documentation.

### **Assigning Provider Numbers 620-01-50**

Providers licensed/self-certified prior to the Child Care Licensing system will retain their previously assigned number.

- Converted providers will keep their original/converted license number indefinitely, unless they change license type (ie: family to group) at which time they will be issued a new license number with the new x-xx-xxxxx-x sequence.
- If converted providers renew before their current license expires the system will not issue them a new number (it will re-issue their original/converted license number).
- If converted providers close and then reopen, the system will issue the provider a new license number (with the new x-xx-xxxxx-x sequence).
- A provider whose license is not renewed prior to the license expiration date will have 90 days to renew and retain their current number, after 90 days the license would be considered new and a new number (x-xx-xxxxx-x) would be issued.

New provider numbers will be generated by the Child Care Licensing system. The numbering system is as follows:

X-XX-XXXXX-X			
1 Digit Zone Number*	2 Digit County Number	5 Digit Sequence	Provider Type

**Zone Numbers \***

1	<u>Bottineau, Burke, Divide, Dunn, McHenry, McKenzie, Mountrail, Pierce, Renville, Rolette, Ward, and Williams</u> NW Supervisor
2	<u>Barnes, Benson, Cavalier, Eddy, Foster, Grand Forks, Griggs, Nelson, Pembina, Ramsey, Steele, Stutsman, Traill, Towner, Walsh, and Wells</u> NE Supervisor
3	<u>Cass, Ransom, Richland, and Sargent</u> SE Supervisor
4	<u>Adams, Billings, Bowman, Burleigh, Dickey, Golden Valley, Grant, Emmons, Hettinger, Kidder, LaMoure, Logan, MacIntosh, McLean, Mercer, Morton, Oliver, Sheridan, Sioux, Slope, and Stark</u>

**SW Supervisor**

\*Zone numbers will be manually entered by the Supervisor in CCL when reviewing an application

**County Numbers**

01	Adams	28	McLean
02	Barnes	29	Mercer
03	Benson	30	Morton
04	Billings	31	Mountrail
05	Bottineau	32	Nelson
06	Bowman	33	Oliver
07	Burke	34	Pembina
08	Burleigh	35	Pierce
09	Cass	36	Ramsey
10	Cavalier	37	Ransom
11	Dickey	38	Renville
12	Divide	39	Richland
13	Dunn	40	Rolette
14	Eddy	41	Sargent
15	Emmons	42	Sheridan
16	Foster	43	Sioux
17	Golden Valley	44	Slope
18	Grand Forks	45	Stark
19	Grant	46	Steele
20	Griggs	47	Stutsman
21	Hettinger	48	Towner
22	Kidder	49	Traill
23	LaMoure	50	Walsh
24	Logan	51	Ward
25	McHenry	52	Wells
26	McIntosh	53	Williams
27	McKenzie		

**Provider Types**

F Family Child Care

G	Group Child Care Home
H	Group Child Care Facility
C	Child Care Center
E	Preschool Education Facility
M	Multiple Licensed Facility
K	School Age Child Care
P	Public Approval
S	Self-declaration
R	Tribal Registration
Q	Approved Relative
I	In-Home Provider

**Change of Operator/Director/Supervisor 620-01-75-15**

1. The current provider who is requesting a change of operator, director or /supervisor must complete a new application and submit the new director/supervisor’s credentials.
2. Licensing Specialist will review application and required operator, director or /supervisor records.
  - If credentials do not meet the criteria, the Licensing Specialist will contact the provider to provide further guidance.
3. If credentials meet the criteria, the Licensing Supervisor will then review the application and required operator, director or /supervisor records.
4. The provider will be notified of the determination.

**Restricted License or Self-Declaration Document 620-01-80-05**

The department may issue a restricted license or self-declaration document:

- To restrict an individual's presence from the premises when children are in child care
  - "Premises" means the indoor and outdoor areas approved for providing early childhood services.

- To restrict a pet or animal from areas accessible to children
  - When necessary to inform parents that the operator is restricted to operating in certain rooms or floors or restricted from using specific outdoor space
1. The Licensing Specialist~~authorized agent shall may~~ request that a restricted license or self-declaration document be issued by the Licensing Supervisor. ~~regional office, if the authorized agent feels a restricted license is warranted.~~
  2. When a decision is made to issue a Restricted License the Licensing Supervisor shall:
    - a. Create the MOU in the Licensing System (see 620-01-80-10 for further instruction on MOU process)
    - b. Once a MOU is approved by the Licensing Administrator and Legal Advisory and signed by the Provider the Restricted License may be created in the Licensing System and issued to the Provider.
  - ~~2.3. \_\_\_\_\_ The regional office may consult with the central office before a restricted license is issue.~~
  - ~~3.4. \_\_\_\_\_ When a restricted license is issued for reasons other than usable space, the restriction must be noted in an MOU signed by the provider, authorized agent, and regional supervisor.~~
5. 3. Restricted Licenses will be generated by the Licensing System and will say RESTRICTED on the face of the license. The Restricted License or Self Declaration and MOU shall be posted in a conspicuous space in the program.~~The restriction must be written on the face of the license.~~

### Memorandum of Understanding (MOU) 620-01-80-10

A memorandum of understanding is an agreement between the child care providers and the department. MOUs shall may be used to support restricted licenses/self-declaration documents,~~to enter into agreement on a method of correction of violations, or for other assurances.~~ MOUs must be approved by Legal Advisory and the Licensing Administrator prior to issuance. ~~the central office prior to issuance.~~

The department shall ~~may~~ issue an MOU for:

- Restricted pets
- Restricted individuals
- Other circumstances as agreed upon by Licensing Supervisor and Licensing Administrator

~~The authorized agent must request that a MOU be issued by the regional office, if the authorized agent feels a MOU is warranted.~~

1. The Licensing Supervisor regional office must consult with the Licensing Administrator central office before a MOU is issued.
2. When a MOU is issued ~~for reasons on a method of correction of violations or for other assurances,~~ the provider shall receive an additional unannounced monitoring visit to ensure the provider is following the restriction MOU.
- ~~3. A provider under a MOU must have written "Under a MOU" on the face of the license.~~
4. 3. A provider is under a MOU until the MOU restriction has been removed by the Licensing Supervisor regional office after consulting with central office.
- ~~5. The need for a MOU to continue will be evaluated at the request of the provider, licenser, regional office or central office.~~

### **Maximum Group Size for a Center 620-01-85-10**

A group is the number of children assigned to a staff member or team of staff members occupying an individual classroom. The number of children assigned is based upon rules for child/staff ratio and indoor space requirement of minimum of 35 square feet per child as well as all other rules that apply.

Areas occupied by groups must be defined by permanent walls, movable walls, or other partitions approved by the ~~Early Childhood~~ Licensing Specialist or ~~Early Childhood Services Licensing~~ Supervisor.

~~Here are E~~examples of what meets the requirements of a partition or moveable wall:

1. Shelving units can be used as long as they are heavy enough not to tip over and injure a child, they can also be reinforced using two shelves back ~~to~~ back.
2. Accordion Walls are a good option this type of wall would meet all regulations and is not a tipping hazard.



3. Privacy Panels and Room Dividers these need to heavy enough not to pose a tipping hazard.

While there may be times when it is appropriate to bring groups together or to rotate groups throughout the facility during the day, it is important that children have a consistent home classroom where they spend the majority of their day in a familiar group with familiar staff members.

### Ratio Waiver 620-01-85-16

1. Group and Center owners or Operators who have been licensed for at least two consecutive years (24 months) and have not had any health and/or Correction Orders issued within the last licensing year may apply for a waiver of ratio. The start date of the ratio waiver shall be no more than three months out from the date the ratio waiver is requested. The approval of the ratio waiver is not to exceed one (calendar) year.
2. The Owner or Operator shall apply for a ratio waiver through the Licensing System fills out SFN 1150 and sends it to the county licenser (authorized agent), indicating the current enrollment and the ages and numbers of children the operator wishes to enroll under this waiver. The application must include documentation of the demonstration of need for the waiver, including letters from the parent(s) of the child(ren) to be included in the waiver. A ratio waiver cannot be issued for a child currently enrolled in the program.
  - ~~a. Group operators may apply for one waiver per license/year.~~
  - ~~b. Center operators may apply for one waiver per group/year.~~
3. Efforts including checking with Child Care Aware, will be made by the Licensing Specialist to verify the need as explained by the operator and parent(s).
4. Licensing Specialist and Licensing Supervisor work together to review and complete the ratio waiver process in the Licensing System.
5. ~~3. Authorized agent will forward the application to the regional supervisor for initial review. If the department determines it is determined that the application warrants further consideration, the Licensing Specialist authorized agent will complete an unannounced visit, at the program to verify:~~

- ~~a. Current enrollment~~
- ~~b. Square footage~~
- ~~c. Existence of any health and safety hazards~~
  - If a visit was completed at the program in the previous 3 months, it may be possible for the Licensing Specialist to verify current enrollment, square footage, and existence of health and safety hazards without another visit.

~~If a recent visit was already completed at the program, it may be possible for the authorized agent to verify current enrollment, square footage, and existence of health and safety hazards without another visit.~~

- ~~4. Authorized Agent will forward the following attached to the regional supervisor:~~
  - ~~a. Notes from the unannounced visit, including any additional information the authorized agent would like the department to consider in processing the waiver, and including a recommendation for approval or denial of the waiver~~
  - ~~b. Updated floor plan~~
  - ~~c. Summary of licensing history~~

~~6. 5. If the verification of current enrollment, square footage, and existence of health and safety hazards is found to be compliant t~~The Licensing Supervisor regional supervisor will review the ratio waiver application and the supporting documentation with the early childhood state administrator, and a decision to approve or deny the waiver will be made. Efforts will be made by the state administrator to verify the need as explained by the operator and parent(s).

~~6. The regional supervisor will send a letter to the operator, informing the operator of the decision, and of the dates of the effectiveness of the waiver (not to exceed one year). A copy of this letter will also be sent to the authorized agent to be included in the licensing file.~~

### **Getting Started Basic Child Care 620-01-90-01**

All licensed and self-declaration family, group and center operators and staff members whose activities involve care, supervision, or guidance to children, are required to complete a department-approved basic child care course within the first 90 days three months of employment or licensing.

**ND Workforce Registry ~~Growing Futures~~ 620-01-90-05**

~~All training for licensing requirements must be approved by the department's Workforce Registry system. North Dakota's professional development system is Growing Futures. All training for licensing requirements must be Growing Futures approved. Providers and employees may access Growing Futures at [www.ndgrowingfutures.org](http://www.ndgrowingfutures.org).~~

Completion of the same training courses may be counted toward licensing requirements if at least three years has passed since the last completion date. It is highly recommended that the training hours be diverse and encompass a variety of the ND Core Competencies:

1. Child Growth and Development
2. Learning Environment and Curriculum
3. Assessment and Planning for Individual Needs
- ~~4~~5. Interactions with Children
- ~~5~~6. Families and Communities
- ~~6~~7. Health, Safety and Nutrition
- ~~7~~8. Program Planning and Evaluation
- ~~8~~9. Professional Development and Leadership

The Workforce Registry will accept early childhood/school-age related training from:

1. Accredited colleges and universities
2. Federal and North Dakota state agencies when specific to early childhood care and education
3. IACET accredited organizations
4. Nationally recognized organizations listed in the Workforce Registry's Accepted Training guidelines

5. National Workforce Registry Alliance (NWRA) Training Organization Recognition list

**Pediatric First Aid and Pediatric CPR/AED Certification/training for Self-declared and Licensed Providers 620-01-90-10**

Licensed and self-declared providers ~~must~~ shall maintain certification in pediatric CPR/AED and pediatric First Aid from ~~a department an~~ approved source.

If the pediatric CPR/AED/First Aid card only lists the expiration date as month and year, the certification is valid through the end of the month listed.

**Serious Accident/Illness/Death of a Child/Sentinel Event 620-01-110**

Providers must report, to the Licensing Specialist ~~authorized agent~~ within 24 hours, a death, serious accident, illness or injury requiring medical care to a child while in child care or attributable to child care.

Upon receipt of the report, the Licensing Specialist ~~authorized agent~~ shall:

1. Immediately send a copy of the SFN 383 to the Licensing Supervisor~~regional office~~.
  - a. This report must be typed and sent electronically to the Licensing Supervisor~~regional office~~. If the Licensing regional Ssupervisor is not available, and there is a potential for the report to be a sentinel event, then the Licensing Specialist ~~authorized agent~~ shall also send the report to the Licensing ECS Administrator ~~at the central office~~.
2. Complete an SFN 960, Report of Suspected Child Abuse and Neglect if the Licensing Specialist ~~authorized agent~~ suspects that the incident is a result of child abuse or neglect.
3. Complete an SFN 1269 Child Care Concern Form if the Licensing Specialist ~~authorized agent~~ suspects that the incident is a result of a licensing violation.
4. Work collaboratively with CPS and law enforcement, if those agencies are

involved in the investigation. CPS or law enforcement will take the lead on joint investigations.

5. Staff with ~~Licensing Supervisor regional office~~ to determine when an unannounced review is appropriate.

The ~~Licensing Supervisor regional office staff~~ shall:

1. Determine if further investigation is needed. If further investigation is not needed, the information is ~~maintained in the provider's file entered on the Q Drive files~~. If further investigation is needed, the ~~Licensing Supervisor regional office~~ forwards a copy of the SFN 383 to the ~~Licensing Administrator central office~~. The ~~Licensing Administrator central office~~ will consult with the ~~Licensing Supervisor regional office~~ to provide guidance to the ~~Licensing Specialist authorized agent~~.

2. Determine whether incident is a sentinel event:

"Sentinel event" has been defined as "Any unexpected occurrence involving death or serious physical or psychological injury or risk thereof that is not related to the natural course of the individual's illness or underlying condition. Serious injury specifically includes inappropriate sexual contact." The phrase "or risk thereof" includes any process variation for which a recurrence would carry a significant chance of a serious adverse outcome. They signal the need for immediate investigation and response. Sentinel events in child care will include, but may not be limited to:

- a. Incidents that involve law enforcement
- b. Deaths
- c. Injuries that require medical attention and are suspected to be the result of a licensing violation

If the ~~Licensing regional Supervisor~~ is unsure of whether or not an incident is a sentinel event, the ~~Licensing Administrator central office~~ should be consulted ~~with~~.

If the incident is determined to be a sentinel event, the ~~Licensing Supervisor regional office~~ shall:

~~Complete SFN 50508 and submit to Risk Management;~~

- a. Immediately send email with "sentinel event" in the subject line to ~~DHS Executive Director~~, ~~DHHS~~ Public Relations, Director of ~~Early Childhood~~

~~Division~~EFS, ECS Licensing Administrator, Director of Legal Advisory Unit, DHHS Risk Manager, ~~and the Risk Manager at the regional office~~. The email should contain as much information as you have at the time about the incident.

- b. Submit a Risk Management Medical Case Incident Report online at <https://ndomb-risk-prod.powerappsportals.us/>
- Risk Management Incident Report Procedures can be found online at: <https://ndgov.sharepoint.com/:b:/r/sites/DHS-RiskManagement/DHS%20Risk%20Management%20Policies/Risk%20Management%20Incident%20Report%20Procedures%202-22-2021.pdf?csf=1&web=1&e=tVDgHe>

~~b. Alert Child Care Aware of ND that no referrals should be made to the program until further notice.~~

The Licensing Administrator central office shall:

1. Provide guidance to Licensing Supervisor regional office and Licensing Specialist authorized agent in addressing serious incidents.
- ~~2. Review Q Drive files periodically.~~
- ~~3. Maintain an electronic file of all the SFN 383 reports submitted to the central office.~~
- ~~4.2. Conduct Report quarterly reviews with to the DHHS Risk Manager, numbers of reports categorized by type of incident.~~

### **Correction Orders 620-01-120-01**

Correction Orders shall be issued for Immediate (24 hour), 20 day or 60-day time periods.

Correction orders whether they are an immediate Correction Order, 20 day or 60 day Correction Order shall may be issued through the licensing system to licensed or self-declared providers for violations of law or rules. All time periods commence with the date the correction order is issued by the Licensing Specialist.

Correction Orders may occur during a licensing visit, or they may occur due to a concern that was received.

The Provider shall upload a copy of the Parent Notification regarding the Correction Order as a supporting document into the Licensing System verifying the Parents have been notified.

The Licensing Specialist shall talk with the provider and let the provider know that a correction order will be issued prior to leaving the program and if a face-to-face conversation is not possible then a phone call to discuss the correction order being issued shall occur prior to issuing the correction order.

Licensing Specialists shall not accept Correction Orders from Providers if:

- the Correction Order is not filled out completely or signatures are missing.
- the method of correction is unclear.
- the correction does not show rule violation and clear evidence of compliance.

A violation that pertains to missing paperwork for an enrolled child or children and/or staff shall be documented in the deficiency to be corrected section / plan of correction section of the licensing checklist. The Licensing Specialist shall give the provider a required date of submission for the missing paperwork. If the paperwork is not submitted by the agreed upon date a correction order shall be issued.

Correction Orders may be sent to Providers through the Licensing System if the Provider has indicated in the Licensing System that their preference is email. If the provider did not indicate email as their method of delivery the Correction Order shall be sent in the mail.

~~The regional office staff shall:~~

- ~~1. Provide guidance to the authorized agent in addressing correction orders.~~
- ~~2. Enter the information into the Q Drive files.~~

~~The central office staff shall:~~

- ~~1. Provide guidance to regional office and authorized agent in addressing serious incidents.~~
- ~~2. Review Q Drive files periodically.~~

**~~REPEAL: Policy and Procedure for Issuing Immediate Correction Orders (24 Hours) 620-01-120-01-01~~**

~~“By immediately,” the provider must comply within 24 hours. All time periods commence with the date of receipt by the provider of the correction orders.~~

~~-~~

~~The immediate correction order should be issued even if:~~

~~-~~

~~1. The date of incident is not the same day as the date of knowledge.~~

~~-~~

~~2. There are other infractions that warrant a regular correction order.~~

~~-Documentation~~

~~a. Document the conduct that violates the rules.~~

~~b. Document the names of witnesses present at the time the conduct is observed.~~

~~2. Include the following information in the order:~~

~~○ Specific rule or code section violated~~

~~○ Facts that back up the violation~~

~~○ Suggested method of correction~~

~~○ Time allowed for correction (calculate date it should be completed using calendar days)~~

~~○ Amount of fiscal sanction~~

~~○ Notice that this information will be provided to CCA~~

~~a. If multiple violations exist, contact the regional office.~~

~~-~~

~~1. Use SFN 379 to issue an immediate correction order.~~

~~2. Leave a completed copy of the SFN 379 with the provider, or inform the provider of the necessary correction and send a copy of the SFN 379 by certified mail immediately upon returning to the office.~~



- ~~3. If the provider refuses certified mail, the authorized agent should place the correction order in a plain white envelope with a return address and re-mail. If the envelope does not come back, the correction order is considered delivered.~~
- ~~4. The provider shall provide a written response to all correction orders detailing the action taken to correct the violation. The written response must be provided to the authorized agent within the time allowed for the correction. The provider shall also send the signed SFN 312 to the authorized agent.~~
- ~~5. Send copies of all correction order notices to regional office.~~
- ~~6. A copy of the correction order will be maintained in the county office, provider's file, and the regional office.~~
- ~~7. The authorized agent shall notify the Child Care Aware of North Dakota of the immediate correction order.~~

**REPEAL: Policy and Procedure for Issuing a 20-day or 60-day Correction Order 620-01-120-01-05**

- ~~1. Documentation~~
  - ~~a. Document the conduct that violates the rules.~~
  - ~~b. Document the names of witnesses present at the time the conduct is observed.~~
- ~~2. Include the following information in the order:~~
  - ~~• Specific rule or code section violated~~
  - ~~• Facts that back up the violation~~
  - ~~• Suggested method of correction~~
  - ~~• Time allowed for correction (calculate date it should be completed using calendar days)~~
  - ~~• Amount of fiscal sanction~~

- ~~• Notice that this information will be provided to CCA~~
- ~~a. If multiple violations exist, contact the regional office.~~
- ~~b. Send the correction order to the provider by certified mail, with a copy of SFN 312, Correction Order Notification and Child Care Provider Confirmation.~~
- ~~c. Send a copy of the correction order to the regional office.~~
- ~~d. Notify Child Care Aware of North Dakota of the correction order.~~
- ~~3. If the provider refuses certified mail, the authorized agent should place the correction order in a plain white envelope with a return address and re-mail. If the envelope does not come back, the correction order is considered delivered.~~
- ~~4. The provider shall provide a written response to all correction orders detailing the action taken to correct the violation. The written response must be provided to the authorized agent within the time allowed for the correction. The provider shall also send the signed SFN 312 to the authorized agent.~~