

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
January 31, 2022**

PI 22-03

TO: Early Childhood Licensing Supervisors
Early Childhood Licensing Specialists
Child Care Aware ND
Bright & Early ND
Licensed Child Care Providers

FROM: Carmen Traeholt, Early Childhood Division Licensing Administrator

PROGRAM: **Early Childhood Licensing**

SUBJECT: Self-declaration Process 620-01-30-01
Self-declaration Effective Date 620-01-30-05
Time Frames for Licensing Process 620-01-35-10
Procedures Following Completion of a Compliance Checklist for
Licensing Study 620-01-35-15
Effective Date for Licensure 620-01-35-20
Renewal of License Policy 620-01-35-25
Background Check Procedures 620-01-40

RETENTION: Until manualized

EFFECTIVE: **Immediately**

The Early Childhood Division updated policy to offer clarification to pre-existing policy specific to licensing and self-declaration application and renewal processes and time frames.

If you have questions, contact your [Licensing Specialist](#) or Carmen Traeholt at ctraeholt@nd.gov or 701-328-4010.

Self-declaration Process 620-01-30-01

1. The applicant completes [SFN 865](#).
2. Applicant obtains certification in [pediatric](#) CPR/[AED](#) and [pediatric](#) First Aid from an approved source
3. Applicant ~~submits returns~~ completed [SFN 865](#), [cleared CBCU memorandums SFN 508](#) for emergency designee and household members [over the age of 12](#), copies of [pediatric](#) CPR/[AED](#) and [pediatric](#) First Aid certification, and

copies of pet vaccinations, if applicable, to their Licensing Specialist ~~local authorized agent~~ with the application fee.

4. ~~Authorized agent will work with regional office and CBCU to complete background check.~~

~~5.4. Licensing Specialist~~ Authorized agent completes pre-approval visit to the location where care is to be provided. ~~Licensing Specialist~~ Authorized agent documents visit on SFN 1595.

~~6.5. Licensing Supervisor reviews the complete application packet and documentation. Authorized agent submits the SFN 865, SFN 508, SFN 1595, copies of required training certificate, copies of pet vaccinations, if applicable, and copies of CPR and First Aid certification to the regional office.~~

~~7.6. Licensing Specialist and Licensing Supervisor~~ Authorized agent shall ensure keep copies of these provider documents are complete and saved in the state licensing system for their files.

~~8.7. Licensing Supervisor~~ Regional office approves or denies application. The earliest effective date of a self-declaration will be the date the Licensing Supervisor reviews and signs the completed application packet.

8. The Licensing Supervisor should contact the central office if there appears to be a problem with timely approval of SFN 865.

9. If approved, ~~the regional office sends self-declaration certificate is issued and a copy is saved in the state licensing system to authorized agent, who keeps copy and forwards original to provider.~~

10. There shall be only one self-declaration per residence. ~~In other words, two self-declared individuals cannot provide child care at the same residence/address.~~

11. If there are new household members over the age of 12 ~~twelve years of age and older~~ after the application, the provider must submit a cleared CBCU memorandum ~~an SFN 508~~ for that household member.

Self-Declaration Renewal Timeline

- 120 days prior to the expiration date of a self-declaration certification: The Licensing Specialist will send the provider the Self-Declared Renewal Letter.
- 60 days prior to the expiration date of a self-declaration certification: All required documentation must be received. If all required documentation has not been received, the Licensing Specialist will send the provider the Past Due Renewal Notice.
- Upon the expiration date of a self-declaration certification: If all required documentation has not been received, the Licensing Specialist will send the provider a Did Not Renew Letter.

REPEAL: Self-declaration Effective Date 620-01-30-05

~~The earliest effective date for a new self-declaration will be the date that both the fingerprint background check memo and the authorized agent signature have been received. All required materials must be received by the authorized agent by this date.~~

~~The date the regional office signs the self-declaration document may then be different than the effective date of the self-declaration.~~

~~Example:~~

Provider signs/notarization	June 2nd
Stamped in at the county	June 3rd
Authorized agent signs	June 8th
Pre-approval visit	June 8th
Fingerprint memorandum dated	July 1st
Regional office signs	July 7th
Effective date	July 1st

~~The Licensing Supervisor regional office should contact the central office if there appears to be a problem with timely issuance of SFN-865.~~

~~The Licensing Supervisor regional office should contact the central office if special circumstances apply that would require a different effective date.~~

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~~authorized agent~~:

- ~~1. A licensing visit must be completed within 30 calendar days depending upon the provider's ability and readiness to be licensed. Once the Licensing Specialist~~authorized agent ~~has received all required materials for licensing, the authorized agent must submit the licensing study to the regional office within 15 calendar days.~~
- ~~2. The Licensing Supervisor regional office~~ must respond to the licensing study within 30~~15~~ calendar days upon receipt of all the licensing studies materials.
- ~~3. The Licensing Specialist~~authorized agent ~~shall contact the Licensing Supervisor regional office 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.

Procedures Following Completion of a Licensing Compliance Checklist for Licensing Study 620-01-35-15

The following items must be reviewed ~~forwarded~~ by the Licensing Specialist, ~~authorized agent to the regional office for~~ Upon satisfactory review, the Licensing Supervisor will then complete the final review prior to license issuance:

1. Application to be Licensed, SFN 832
2. Fire Inspection Report
- ~~3. Health/Sanitation Report~~
- ~~4.3.~~ Documentation of pediatric CPR/AED Cards
- ~~5.4.~~ Documentation of pediatric First Aid Cards
- ~~6.5.~~ Cleared CBCU memorandums Background Check Form, SFN 508, for all staff members, volunteers, and household members over the age of 12 if care is provided in a private residence
- ~~7.6.~~ Copy of Policies and Procedures upon initial licensure or change in policies/procedures
- ~~8.7.~~ Documentation to verify qualifications of staff members
- ~~9.8.~~ Programming schedule upon initial licensure or change of hours
- ~~10.9.~~ Floor Plan with square footage upon initial licensure of residence/facility, ~~or~~ expansion of facility or other change in square footage.
- ~~11.10.~~ SFN 517, Child Care Evacuation Disaster Plan
11. Childcare Provider/Facility Staffing (SFN 1259) or equivalent
12. Documentation of department approved training to meet training requirements for each provider and staff member
13. 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 requested:

~~1. Documentation of department approved training to meet training requirements for each provider and staff member~~

~~2.1.~~ Copy of pet immunizations

~~3.2.~~ Copy of water test

3. Copy of all county forms

4. Health/sanitation report

4.5. Liability Insurance

The provider should not be told that they are receiving a license until the required items are completed and the Licensing Supervisor ~~regional office~~ 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. ~~In order to adequately complete this study, the authorized agent should anticipate 2—2½ hours on-site for a family child care licensing study and longer for a group license. The amount of time required for a center license will vary but a minimum of 5—6 hours is common. A large center or school age program may take up to 8 hours on-site.~~

Annual Review of a 2-Year License~~Note: The 2-year license annual review requirement is a scheduled review for the purpose of monitoring the licensing requirements. When the license is a 2-year license, the annual requirements must be submitted to the authorized agent prior to the one-year anniversary of the license. The 2-year license annual review requirement is a scheduled review for the purpose of checking the annual requirements. This is not an unannounced review.~~

- 120 days prior to the one-year anniversary of a license: The Licensing 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 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 will send the provider the 30-Day Alert.

REPEAL: Effective Date for Licensure 620-01-35-20

~~The earliest effective date of an early childhood license will be the date that both the fingerprint background check memo and the authorized agent signature have been received. All required materials must be submitted to the authorized agent by this day.~~

~~The date the regional office signs the license may be different than the effective date of the license.~~

~~Example for New Application~~

Provider contacts county	May 1st
County returns call	May 2nd
Orientation**	May 8th
Application and fee received	May 10th
Authorized agent calls to make appointment for licensing study	May 12th
Appointment for licensing study by authorized agent	May 17th
Fingerprint memorandum dated	May 19th
Final documentation arrives at county office*	May 20th
Date of authorized agency signature	May 20th
Authorized agent sends all required documentation to regional office	May 22nd
Regional office reviews, completes background checks, dates, and signs	May 28th
EFFECTIVE DATE	May 20th

~~NOTE: Regional office shall contact the central office if special circumstances arise regarding issuance of license.~~

~~Example for Renewal of license, Expiration June 30~~

License expires	June 30th
Provider contacts county	May 1st
County returns call	May 5th
Application and fee received	May 15th
Appointment for licensing study	June 10th
*Final documentation received at county	June 17th
Date of authorized agent signature	June 17th
County sends all required documentation to Regional office	June 19th
Regional office reviews, completes background checks, signs, and dates	June 27th
LICENSE EXPIRES JUNE 30TH — EFFECTIVE DATE	July 1 st

Renewal of License Policy 620-01-35-25

120 days prior to the expiration of a license: The Licensing Specialist 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 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 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 will send the provider a Did Not Renew Letter.

Authorized agent should notify provider to begin the renewal process two months prior to expiration of their license.

A license will not be issued until if a provider ~~fails to submit~~s all required licensing documentation ~~prior to the expiration date~~.

~~The regional office should contact the central office if special circumstances apply that would require a different effective date.~~

~~All required documentation as identified on check list must be received at this time.~~

Background Check Procedures 620-01-40

The fingerprint background check shall be completed for all owners/operators, ~~providers~~ staff members, emergency designees, upon hire and every five years after. A cleared CBCU memorandum must also be submitted for all household members over the age of 12 every 5 years. ~~Staff members who are hired before the age of 18 must complete the fingerprint background check when they turn eighteen. Household members over the age of eighteen, upon licensure of the program and every five years after.~~

If a volunteer is providing unsupervised child care, the volunteer shall meet the qualifications of a staff member responsible for caring for or teaching children, including a fingerprint-based background check.

The owner/operator of a licensed child care program must complete and submit a fingerprint background check results memo with any application for licensure, re-licensure or annual review. Any child care with a governing board, will need to choose a Board Designee to sign applications and be fingerprinted for background check.

If an individual who has been fingerprinted for one early childhood services program moves to another early childhood services program, the original fingerprint results may be used if the individual has not been separated from child care employment for more than 180 days. The individual must sign a release of information allowing CBCU ~~the authorized agent or the regional office~~ to share the results of the fingerprint memo with the new program.

~~Regional child care licensing offices are responsible for completing:~~

- ~~1. North Dakota court searches on directors, supervisors, providers, emergency designees for self-declared providers and household members annually, unless the full fingerprint background check has been completed;~~
- ~~2. Sex offender registry checks on directors, supervisors, providers, emergency designees for self-declared providers, household members and staff members annually, unless the full fingerprint background check has been completed; and~~
- ~~3. Child Abuse/Neglect Index checks on directors, supervisors, providers, emergency designees for self-declared providers, household members and staff members annually, unless the full fingerprint background check has been completed.~~

~~The authorized agent will be responsible for providing the results memo from~~ CBCU will provide the results memo to the operator and current or prospective staff member of the child care program who requested the background check. The results memo will have a statement that indicates whether the staff member is eligible or ineligible, without revealing specific disqualifying information. If the staff member is ineligible, CBCU will then provide a copy of the results memo to the Licensing Specialist.~~results memo which will contain information about each disqualifying crime to the staff member only.~~

~~1. Operators of child care programs will be responsible for completing the North Dakota court searches on their individual staff members annually, unless the full fingerprint background check has been completed.~~

~~2. Operators are required to keep documentation of the court searches they do.~~

~~3.~~ Operators are required to maintain a written policy on how they will determine who can be employed in their program and what offenses will disqualify an individual from employment.

~~4. Operators are required to submit the SFN 508 (Authorization for Background Check) upon hire for new employees and annually for all employees.~~

~~5. For two year licenses, the SFN 508 (Authorization for Background Check) must be submitted for household members with the submission of the annual requirement~~