

Changes to Child Care Licensing Regulations

The following highlights the revised regulations in each set of child care licensing regulations, effective April 17th, 2022.

Afterschool Child Care Program Regulations

- 1.1.1 These rules will go into effect for all initial applications for licensure as an Afterschool Child Care Program received on or after April 17, 2022
- 1.1.2 These rules will go into effect for all Afterschool Child Care Programs with a current license on April 17, 2022.
- 3.15 The licensee shall not deny a child's entry into the program because of race, creed, color, national origin, religion, disability, gender or the parents' marital status or gender identification.
- 4.7 The following written information shall be provided to parents and prospective parents; for example, in a handbook or other format such as website access:
 - Addition to the current list - Assurance that non-discrimination and respect for each child's family and culture is maintained
- 8.6 Each child shall be treated equally with regard to respect, consideration, and opportunity to take part in all developmentally appropriate activities.
- 8.6.a. The environment shall be respectful and reflect an understanding of the diversity of families, cultures, and ethnicities attending the program and those persons in the surrounding communities.
- 8.6.b. Materials and experiences provided to children shall reflect the diversity found in society including gender, family composition, age, language, and abilities.
- 8.6.c. Staff shall consult with parents about care practices specific to their children's culture and community and provide as much consistency as possible in program practices for each child.
- 18.66 The Commissioner, or designee, upon request in an individual case and at his or her discretion may grant a variance to a regulation. A variance may be granted when, in unique and exceptional circumstances, a literal application of a regulation will result in unnecessary hardship for the Licensee or for a child and family in care, and the intent of the regulation can be achieved through other means. Under no circumstances, shall the Commissioner, or designee, grant a variance to rules 3.15, 4.7, and 8.6.

Registered and Licensed Family Child Care Homes Regulations

- 1.3.1 These rules will go into effect for all initial applications for licensure as a Registered Family Child Care Home or Licensed Family Child Care Home received on or after April 17, 2022.

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- 1.3.2 These rules will go into effect for all Family Child Care Providers with a current license to operate a Registered Family Child Care Home or Licensed Family Child Care Home on April 17, 2022.
- 2.7.1 The Commissioner, or designee, upon request in an individual case and at his/her discretion may grant a variance to a rule. A variance may be granted when in unique and exceptional circumstances literal application of a rule will result in unnecessary hardship for the FCCP or for a child and family, and the intent of the rule can be achieved through other means. Under no circumstances, shall the Commissioner, or designee, grant a variance to rules 3.4, 4.7, 6.1.4.3, and 6.2.3.

Center Based Child Care and Preschool Program Regulations

- 1.3.1 These rules will go into effect for all initial applications for licensure as a Center Based Child Care and Preschool Program received on or after April 17, 2022.
- 1.3.2 These rules will go into effect for all Center Based Child Care and Preschool Programs with a current license on April 17, 2022.
- 2.7.1 The Commissioner, or designee, upon request in an individual case and at his/her discretion may grant a variance to a rule. A variance may be granted when in unique and exceptional circumstances literal application of a rule will result in unnecessary hardship for the licensee or for a child and family, and the intent of the rule can be achieved through other means. Under no circumstances, shall the Commissioner, or designee, grant a variance to rules 3.5, 4.7, 6.1.4.3, and 6.2.5.1.