

What is “THE RULE”?

Staying Informed of Regulations

Licensed Child Care Providers often hear mention of ‘the rule.’ “The rule” refers to rule #2 of the set of state rules and laws governing family child care. Licensed child care providers are professionals and independent business people. Knowing the regulations that pertain to your business is an essential responsibility, enabling you to remain in compliance with all the latest standards. The following identified Minnesota legislation affects licensed family child care providers. To obtain the most current versions of these regulations, go to the identified websites. *This list is NOT all-inclusive.

- **“Rule 2,” or MN Administrative Rules, Chapter 9502, Parts 9502.0300 - 9502.0445.** This has been the long-standing rule for Family Child Care. More recently, other legislation has superseded the original rules regulating child care. It sets licensing standards for family child care and group family child care homes to provide for the protection, proper care, health, safety and development of children enrolled in child care. (www.revisor.mn.gov/rules/?id=9502)
- **MN Statutes, Chapter 245A of the Human Services Licensing Act.** It defines the application process, sanctions, due process, training requirements and much more. (www.revisor.mn.gov/statutes/?id=245A)
- **MN Statutes, Chapter 142B. Children, Youth, and Families Licensing** Effective June 2025, family child care licensing transitioned from the Department of Human Services to the Department of Children, Youth, and Families. Licensing standards previously found in Chapter 245A are now located in Chapter 142.B. (www.revisor.mn.gov/statutes/cite/142B.10)
- **MN Statutes, Chapter 245C of the Human Services Background Studies Act.** This contains all the laws that pertain to background studies and disqualifications for applicants, license holders and subjects affiliated with the program. (<https://www.revisor.mn.gov/statutes/?id=245C>)
- **MN Statutes, Chapter 13 of the MN Government Data Practices Act.** It defines data and guides the handling of that data. (www.revisor.mn.gov/statutes/?id=13)
- **MN Statute 260E Reporting of Maltreatment of Minors.** This defines abuse and neglect, specifies reporting responsibilities and investigation duties. (<https://www.revisor.mn.gov/statutes/cite/260E>)
- **MN Statute 144.414 Prohibitions.** This covers smoking prohibitions in child care settings. (www.revisor.mn.gov/statutes/?id=144.414)
- **MN Administrative Rules, Chapter 4717 Environmental Health.** This establishes regulations for pool usage in public settings, which includes family child care. (www.revisor.mn.gov/rules/?id=4717)

- **MN State Fire Marshal.** This governs fire safety in licensed child care homes and has resources such as the fire code available online.
(<https://dps.mn.gov/divisions/sfm/Pages/default.aspx>)