

Special Family Child Care (SFCC) Information Sheet

*****DO NOT SECURE A LOCATION UNTIL IT HAS BEEN APPROVED FOR SPECIAL FAMILY CHILD CARE PROGRAM USE. CONSULT YOUR COUNTY LICENSING AGENCY BEFORE YOU COMMIT TO PURCHASING A PROPERTY OR RENTING A SPACE.**

*****THIS DOCUMENT IS INTENDED TO PROVIDE GENERAL INFORMATION PERTAINING TO SFCC. CONTACT YOUR COUNTY LICENSING AGENCY PRIOR TO PURSUING A SFCC LICENSE, AND PRIOR TO COMPLETION OF ANY STEPS INVOLVED IN LICENSURE OF SFCC PROGRAMS. YOUR COUNTY LICENSING AGENCY WILL CONSULT WITH DHS AND THE STATE FIRE MARSHAL AND ADVISE YOU BASED ON YOUR INDIVIDUAL SITUATION.**

Definition: A Special Family Child Care (SFCC) program is defined as a non-residential child care program serving 14 or fewer children that is conducted at a location other than the license holder's own residence. SFCC programs are licensed under the rules governing family child care or group family child care.

Common Examples: Program operation in a home the license holder does not reside in, or in a commercial building space, or in a church.

For certain types of SFCC providers (for example, a license holder who is a primary provider of care in a commercial space), the commissioner may approve up to four licenses at the same location or under one contiguous roof if each license holder is able to demonstrate compliance with all applicable rules and laws. Each licensed program must operate as a distinct program and within the capacity, age, and ratio distributions of each license. MN Statute 245A.14, subd. 4(h)

A SFCC program located on a residential lot must be in a dwelling with a unique address. Garages and outbuildings are generally not approved locations unless certain specific requirements are met.

Application Process: Fill out the Family Child Care License Application, including the program location, all involved *authorized agents/controlling individuals and their role, and building type and amenities. Submit it with a SFCC Program Plan, explaining how you will adhere to certain rules governing family child care or group family child care, to your County Licensing Agency.

If you are applying for a Group Family Child Care license, you must submit documentation verifying caregiver qualifications.

A background study will be conducted on all controlling individuals and any caregivers.

A Fire Marshal will complete a fire inspection, and any non-compliant items must be corrected.

You will learn about other required forms, tasks such as training, payment, and processes such as a licensing visit, home inspection, and interview in orientation and through your County Licensing Agency.

**Controlling individuals are defined by MN statute – 245A.02. There is a controlling individual identification form you may use to determine who is a controlling individual in your program. You may request this from your County Licensing Agency, or you can use the link on the electronic Application to access it. List the authorized agent first, who is responsible for communication with the MN Department of Human Services (DHS) and your County Licensing Agency on all licensing matters, and then list all other controlling individuals. If there is one owner/applicant/license holder, that individual is the sole controlling individual and authorized agent.*

Requirements Based on Location Type: The first distinction that must be made is whether the proposed location is in a residential home or commercial building. If in a residential home, the fire/building code requirements are those that apply to standard family child care homes. Non-residential buildings would most likely be considered a commercial building. SFCC programs in commercial buildings must adhere to the same fire/building code requirements as DHS licensed daycare centers.

Information and Steps Specific to Commercial Sites: The Human Services Licensing Act specifies what type of fire code inspection is required for a SFCC program where the license holder is the primary provider of care and the program is located in a commercial space.

Specific applicable fire/building code and fire safety requirements for commercial buildings are based on the age distribution and number of children served. Certain structures/amenities/equipment must exist in the space and be on the premises.

Proposed SFCC program operation in a commercial space necessitates certain zoning, architect, building official, and local fire code official steps.

When the proposed location is in a non-residential building, the applicant will need to provide the Fire Marshal with certified plans from a licensed design professional (architect or engineer), or architectural drawings of the space, showing that it meets building code.

It is recommended that a licensed design professional is consulted prior to purchasing a property or signing a lease agreement, so that individual can provide a code review analysis of the proposed site, where valuable information would be gained regarding the feasibility of a specific location and any necessary alterations based on the occupancy classification.

The local planning and zoning official should be contacted to confirm whether local zoning rules permit SFCC program operation at a specific location.

If the proposed location is within a jurisdiction that has adopted the MN Building Code, a permit application and certified design plans must be submitted to the local building official who will

review them for code compliance and issue a construction permit where appropriate. After necessary work is complete, the building official will issue a Certificate of Occupancy for the child care program.

The local fire code official should be contacted by your County Licensing Agency to determine whether there are specific permitting and plan review requirements for fire protection systems such as fire alarm and sprinkler systems. The architect will have determined what fire systems are required in developing their certified plans, and when the local fire code official is consulted they will review plans and permits and inspect premises to ensure that the fire systems requirements are met.

Fire Inspection Information and Process: The Fire Marshal will determine the applicable fire/building code and assess whether the location meets fire safety requirements by way of conducting a fire inspection. If your SFCC program will operate in a commercial space, the Fire Marshal will conduct your fire inspection after the architect has completed their review and after any construction permits are completed.

Your County Licensing Agency will submit the request for a fire marshal inspection.

If your SFCC program will operate in a commercial space you are renting, you will be required to obtain a Permission for Inspection form from the property owner.

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To understand the fire/building code requirements applicable to your proposed SFCC location, and to learn whether your proposed location meets the requirements, connect with your County Licensing Agency, and together review the applicable information sheets and checklists from the State Fire Marshal. Your licensor will also consult with the State Fire Marshal and/or DHS for further guidance and approval.