

Family Child Care License Variance Policies and Procedures

Policies for Variances:

For Capacity Related Variances:

1. The program may have one (1) variance per calendar year.
2. The variance cannot put the program over in more than one capacity area. (For Example: if requesting a variance for an extra child under school age it cannot also put the program over on the total number of children allowed).
3. The variance cannot be for more than three (3) consecutive months.
4. If licensed as a C3, the variance can never make the program exceed more than 14 children.
5. Class A licenses are not eligible for variances.
6. The program cannot have been issued a correction order for a supervision violation in the last 12 months.
7. The program cannot be under a conditional license.
8. Other repeat or significant licensing violations will be reviewed prior to approval of variance request and will be at the discretion of the Licensor.
9. The license holder must ensure required supervision is provided to all children in care.
10. The license holder must ensure an adequate amount of equipment and activities are available for all children in care per Rule 9502.0415.
11. No drop in children are permitted, to replace an absent child or for any other reason, while variance is in effect unless that drop in child is listed as an approved child on the variance.
12. Parents/guardians must be made aware that the program is operating under a variance and the details of the variance (excluding confidential information such as names and dates of birth).
13. Variance requests must be submitted in writing on the designated variance request form to be considered.
14. Variances will be approved or denied within 30 days of receiving the complete written request on the designated form. The approved or denied variance will be sent to the License Holder via mail.
15. It is the license holder's responsibility to provide a copy of any approved variances to their food program or any other agency that has a need to know.
16. Variances will be immediately rescinded if there are licensing violations that jeopardize the health and safety of children while the variance is in effect.

Procedure for Requesting a Variance:

- 1. License Holder will complete the variance request form (found on the Winona County website).
 - a. If the variance is for capacity, the License Holder will also complete the Child Care Weekly Attendance Schedule (form found on the Winona County website).****
- 2. The License Holder will complete the Variance Request Notice for Parents (form found on the Winona County website).
 - a. This complete form must be included with the completed Variance Request Form****
- 3. If the variance request form and all applicable forms found on this page are not completed the variance will not be processed.**
- 4. License Holder will submit the variance request form to the Child Care Licensor by mail or by placing in the drop box outside the County Office Building, Attn: Child Care Licensing, 202 West Third Street, Winona, MN 55987.**
- 5. Within 30 days of receipt of the variance request, the Child Care Licensor will review the variance request form and either approve or deny the variance request.**
- 6. Licensor will send a copy of approved or denied variance request to the License Holder via mail.**
- 7. The License Holder is responsible to provide a copy of the variance to their food program or any other agency that has a need to know.**

Checklist for Variance Request: