HEALTHY FOOD AND CHILD CARE: MAPPING THE POLICY ENVIRONMENT

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Public Health Law Center
THE PUBLIC HEALTH LAW CENTER
LEGAL TECHNICAL ASSISTANCE

- Legal Research
- Policy Development, Implementation, Defense
- Publications
- Trainings

- Direct Representation
- Lobby
• **WHAT:** Mapping of Policy Environment Using Food as the Frame

• **WHERE:** Minnesota Child Care

• **WHY:** Streamline Efforts, Pool Resources, and Align Systems for Healthy Minnesotan Children

Healthy Eating Research Grant, #72062

Blue Cross and Blue Shield of Minnesota – Center for Prevention
**STATE OF ECE IN MINNESOTA**

- Governor’s Children’s Cabinet
- Task Force on Affordable Child Care
- Focus Under Five Working Group
- MN Office of Legislative Auditors – Assessment on Early Childhood Programs
PROCESS & PROTOCOL

• Interviewed select key informants in the Early Care and Education (ECE) field
  – Discussion framed around desire to understand the role of their organization in the food environment for licensed child care in Minnesota
• Analyzed relationships, legal requirements, & programmatic standards
• “Ground-tested” Phase I
  – accuracy and usefulness
• Phase II and next steps
CDC’S SPECTRUM OF OPPORTUNITIES

- Pre-service & Professional Development
- Facility-level Interventions
- Technical Assistance
- Access to Healthy Environments
- Early Learning Standards
- Family Engagement
- Emerging Opportunities
- Improved Nutrition, Breastfeeding, Physical Activity and Screen Time Policies, Practices, Environments
- Quality Rating & Improvement System (QRIS)
- Child & Adult Care Food Program (CACFP)
- Licensing & Administrative Regulations
- Funding & Finance
AGENCIES WITHIN THE ENVIRONMENT

Food Environment in Minnesota Family Child Care Homes
Draft December 5, 2016

PUBLIC HEALTH LAW CENTER
at Mitchell Hamline School of Law

1/9/2018
LICENSING & ADMINISTRATIVE REGULATIONS

Food Environment in Minnesota Family Child Care Homes
Draft December 5, 2016
QUALITY RATING & IMPROVEMENT SYSTEM
NOT ALL LEVERS ARE DISTINCT
FUNDING & FINANCE

Food Environment in Minnesota Family Child Care Homes
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TECHNICAL ASSISTANCE

Food Environment in Minnesota Family Child Care Homes
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NOT ALL AS MEANINGFUL
FACILITY-LEVEL INTERVENTIONS
FAMILY ENGAGEMENT

Food Environment in Minnesota Family Child Care Homes
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REQUIRED MORE EXPLANATION
PRE-SERVICE & PROFESSIONAL DEVELOPMENT

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1/9/2018
PHASE II
Mapping the Food Policy Environment in Minnesota Child Care

Child care providers are a vital part of healthy, thriving communities. Over half of children between the ages of zero and five spend significant time in non-parental child care. These early years are critical for healthy brain development and establishing the habits that last a lifetime.

Laws and policies shape how we think of "quality" in child care settings. One key aspect of quality is the food environment. The Public Health Law Center is mapping the early care and education (ECE) food policy environment, beginning with licensed home-based child care settings in Minnesota. This policy map will evolve as we research other aspects of quality across the range of ECE settings. To learn about our methodology, click here.

Research for this policy map was provided through the Robert Wood Johnson Foundation and the Healthy Eating Research Program grant 72062. Additional support was provided by Blue Cross and Blue Shield of Minnesota's Center for Prevention. For more information, please contact Natasha Frost.

Click the tabs above to begin.
Child Care Aware of Minnesota, District and Regional Offices

Child Care Aware of Minnesota, formerly known as the Minnesota Child Care Resource and Referral Network, is a program dedicated to helping families find quality child care and to offering professional development to child care providers. Child Care Aware of Minnesota provides families access to information about the different types of available child care.

Child Care Aware of Minnesota operates through a coordinating office and partner agencies located throughout the state. These agencies are responsible for referring families to child care programs, professional development of child care providers, assistance with accreditation processes and acquiring credentials, distribution of grants to providers. Additionally, Child Care Aware has a contractual relationship with the Minnesota Department of Human Services to run the Parent Aware program, the Minnesota Quality Rating Improvement System (QRIS). As part of this, Child Care Aware district offices administer money, assist in recruitment, and support professional development. Regional offices provide coaching.

Training, Professional Development, and Credentials

Child Care Aware of Minnesota offers online and in-person trainings. Online trainings are offered through Eager-to-Learn. Child Care Aware of Minnesota’s e-learning program, Eager-to-Learn trainings can be accessed through Develop. Minnesota’s registry of trainings for child care providers. One of Eager-to-Learn’s training series is called Anytime Learning. Anytime Learning (AL) allows learners to train at their own speed and at times that are convenient for them. In-person trainings conducted by Child Care Aware of Minnesota can also be found using Develop. All trainings listed on the Develop website, including those offered by Child Care Aware of Minnesota, Eager-to-Learn, and Anytime Learning have been approved by Achieve (the Minnesota Center for Professional Development).

For providers interested in pursuing certain credentials and accreditation, Child Care Aware of Minnesota can provide financial assistance, coaching, support, and trainings that meet the requirements of the sponsoring organizations.
NEXT STEPS

• Adding all settings to existing components
  – Family, Friend and Neighbor
  – Family Child Care
  – Child Care Centers
• Adding more components
  – ECFE, Voluntary Pre-K, Head Start, Others
• Expanding on the role of Tribal Nations
• Layering in Whole Child and Social Determinants
Federally recognized American Indian controlled Tribal contract or grant schools, located on a reservation within the state, are eligible to receive school aid. An American Indian controlled Tribal contract or grant school receiving school aid may apply to MDH to receive an ECPE grant. The ECPE grant must be used for programs and services that meet ECPE requirements, however, the school is not required to provide a community education program or established a community education advisory council.
KEY TAKEAWAYS
KEY TAKEAWAYS – PROCESS

• Start with a legal analysis
• Record interviews
• Layer
• Have visual to react to
• Separate “hearsay”
• Ask for contracts, reports
KEY TAKEAWAYS – CONTENT

- Mapping appropriations – old as soon as you do it
- Disconnect between “hearsay” and reality
- Office of Early Learning
- Incredible enthusiasm and report of need
REMINDER: EQUITY AS CORE
CHILD CARE REGULATIONS

This information is current as of April 2018.

1/9/2018

http://www.publichealthlawcenter.org/heal/ChildCareMaps.html
Quality in Family Child Care

The experiences of early childhood lay the foundation for a lifetime of development. Few settings offer greater opportunity for improving our nation’s health than the child care environment. Non-parental child care settings — where many young children spend a good portion of their childhood — provide a unique forum for shaping those experiences. Although child care provided in the home of the provider (“family child care”) is just one just one child care setting within the larger early care and education landscape, it is a vitally important one for addressing issues of equity and health equity in the lives of millions of children.

The Public Health Law Center recently completed a project seeking to understand how quality is defined, assessed, and measured in family child care settings through policy. Quality measures are applied to family child care settings through a variety of policy mechanisms including licensing, funding streams, and voluntary quality programs. We found that the many ways that family child care settings are diverse create both challenges and opportunities for defining and implementing quality in these settings.

Examining Licensing for Cultural Competency (2017)

Although many states address issues relating to culture and language in their child care licensing standards in some way, few states are doing it comprehensively. This resource highlights how existing family child care licensing provisions are addressing (or not addressing) cultural competency. The examples discussed should not be viewed as best practices; they were selected to illustrate current practices, and to provide a starting point for a deeper discussion. Whether or not licensing is an efficient and effective strategy to achieve these goals deserves careful consideration, especially in light of the unique characteristics of family child care homes.

Reimagining Quality in Quality Ratings Programs (2017)

Quality measures are applied to family child care settings through a variety of policy mechanisms including licensing, funding streams, and voluntary quality programs. This resource summarizes our findings relating to quality in family child care settings and Quality Rating and Improvement Systems (QRIS) programs. We found that the many ways that family child care settings are diverse create both challenges and opportunities for defining and implementing quality in these settings.
State-Specific Resources and Licensing Laws

More than half of children ages zero to five in the U.S. spend significant time in non-parental child care, making child care a crucial part of the healthy development of children. The Public Health Law Center has developed a 50-state analysis of child care licensing laws, using this protocol, for easy review by health advocates and policy makers.

Every state regulates child care settings and establishes health and safety protections for children receiving non-parental care in some manner. Although the regulations vary by state and type of care, most states require a license for child care centers and family child care homes. Afterschool programs and informal care providers (family, friends, neighbors, etc.) are often exempted from these regulations. Click on your state to learn more.

Click here to view Washington D.C.
Minnesota Child Care Laws

Child care providers are important partners in the support of healthy child development. Minnesota requires licensure of certain child care providers, and the licensing requirements include regulations about various quality measures including nutritious food and active play.

As a part of its extensive work in the child care setting, The Public Health Law Center has reviewed the child care licensing laws to identify the how the setting is defined and regulated. The review also identifies the public health requirements for child care providers (nutrition, active play, screen time limitations, etc.).

Analyzing Minnesota Child Care Licensing Laws for Nutrition, Active Play and Screen Time

This resource compares scientifically-based best practices with Minnesota's child care licensing regulations on healthy eating, active play and screen time limits. To see this analysis in an interactive 50-state map, click here.

Minnesota Child Care Screen Time Regulations

This resource identifies the child care licensing language that impacts screen time in child care settings.

Minnesota Child Care Definitions and Exemptions

This resource identifies the child care licensing language defining and exempting child care settings.

Minnesota State Regulations and Statutes

Minnesota Child Care Regulations (current through May 2017)
Minnesota Child Care Statutes (current through July 2016)
Child Care Highlighting Protocol

Additional Resources

Minnesota Child Care Resources
Breastfeeding and Child Care Programs (2017)
Minnesota Farm to Child Care
Minnesota Afterschool and Out of School Time Toolkit

- For archived child care laws compiled and highlighted in 2011-2015, see here.
- To see an un-highlighted version of your state's regulations, see the National Database of Child Care Regulations.
A. A child may be designated as an "infant" up to the age of 18 months for purposes of staff ratios, group size, and child care programming, if the parent, teacher, and center director determine that such a designation is in the best interests of the child. A child may be designated as a "toddler" up to 36 months, or as a "preschooler" at the age of 33 months for purposes of staff ratios, group size and child care programming, if the parent, teacher, and center director determine that the designation is in the best interests of the child.

B. A child attending kindergarten must be designated a school age child. 9503.0045

Statutory Authority: MS's 245A.02, 245A.09; 252.28
History: 13 SR 173; 18 SR 2741 Published
Electronically: October 8, 2007

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<th>9503.0045 CHILD CARE PROGRAM PLAN.</th>
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<td>Subpart 1. General requirement. The applicant must develop a written child care program plan and the license holder must see that it is carried out. The child care program plan must:</td>
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<td>A. mandate that children have supervision at all times;</td>
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<td>B. describe the age categories and number of children to be served by the program;</td>
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<td>C. describe the days and hours of operation of the program;</td>
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<td>D. describe the general educational methods to be used by the program and the religious, political, or philosophical basis, if any;</td>
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<td>E. be developed and evaluated in writing annually by a staff person qualified as a teacher under part 9503.0032;</td>
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<td>F. have stated goals and objectives to promote the intellectual, physical, social, an emotional development of the children in each age category in part 9503.0005, subpart 4; for which care is provided;</td>
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<td>G. specify activities designed to promote the intellectual, physical, social, and emotional development of a child in a manner consistent with the child's cultural background;</td>
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<td>H. specify the intellectual, physical, social, and emotional progress of each child documented in the child's record and conveyed to the parent during the conference specified in part 9503.0000, subpart 2;</td>
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<td>I. provide a daily schedule for both indoor and outdoor activities;</td>
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<td>J. provide for activities that are both quiet and active, teacher directed and child initiated;</td>
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<tr>
<td>K. provide for a variety of activities that require the use of varied equipment and materials and;</td>
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For children with developmental disabilities or children under the age of five, as specified in parts 9525.0004 to 9525.0036, physical and mechanical restraints may be permitted if they are implemented in accordance with the aversive and deprivation procedures governed by parts 9525.2700 to 9525.2810.

Subp. 4. Separation from the group. No child may be separated from the group unless the license holder has tried less intrusive methods of guiding the child's behavior which have been ineffective and the child's behavior threatens the well being of the child or other children in the center. A child who requires

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Yellow—Definitions of Child Care Arrangements
Orange—Licensing Agency Authority
Red—Exemptions from Licensing
Purple—Environmental Contaminants
Green—Nutrition—Food, Action/Behavior Related to Nutrition, Sanitation & Food Safety
Blue—Physical Activity
Pink—Breastfeeding
Gray—Screen Time
Light Blue – Equity
Pale Yellow—Playground Safety
Fuchsia—Overlapping Information
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