MiLEAP Michigan Department of Lifelong Education, Advancement, and Potential | Child Care Licensing

2025 Child Care Center Licensing Rule Revisions

Goals:

- Set a minimum standard for what child care programs must do to keep children safe, happy, healthy and learning.
- Help create a high-quality child care system that is accessible and affordable for all Michigan families.

This helps:

- Children have safe environments where they can learn and grow.
- Parents know what to expect when their child attends a licensed child care program.
- Early learning and care professionals know the health and safety expectations regardless of where they work.
- Early learning and care programs align their health and safety practices with widely accepted best practices to promote safe, healthy, engaging learning environments for children.

Rules must be:

- Clear
- Reasonable
- Necessary
- Aligned with state and federal law
- Consistent with national best practices

How this draft was created:

- 63 listening sessions with stakeholders
- 582 child care providers, community partners and state partners provided feedback during in person and virtual sessions
- 1,294 responses to written survey opportunities
- Benchmarking Michigan's rules to national best practices
- Reviewing data about common rule violations and what support providers need

What's covered in the rules:

Part 1. Definitions, Licensing Process, Procedures, and Records

What: Defines key terms related to roles, health and safety standards, and facility requirements. Outlines the application process for providers, detailing steps to ensure compliance with regulatory standards.

Why: Providers and families deserve clarity and a shared understanding of licensed child care program regulations.

What to know about the proposed changes:

- Professional Recognition: Renaming of child care staff member to teacher to elevate and acknowledge the professionalism of the industry.

- Expanded Definitions: New definitions were introduced to clarify who is required to take health and safety training and who needs to complete a background check.
  - Independent Service Provider
  - Therapeutic Professionals
- Revised requirement to more clearly defined licensing requirements for applicants and licensees.
- Certificate of Occupancy: Revised the requirement for applicants and licensees to submit a certificate of occupancy, demonstrating that the space has been specifically approved for child care usage.
- Eliminated TB Requirement: Staff and volunteers no longer need to submit a test for tuberculosis, in alignment with other states and Federal requirements.

Part 2. Space and Equipment

What: Minimum standards for indoor and outdoor spaces including topics such as equipment, restroom facilities, heating, lighting, maintenance, and fire safety.

Why: Children deserve safe and healthy environments to learn, play, sleep, eat, and use the restroom.

What to know about the proposed changes:

- Revised Requirement: Adjusted square footage requirements for infants and toddlers to better align with national best practices and feedback from the field.
- Revised Requirement: Handwashing sinks to include only toddler age and older.
- Supporting innovative programming: Introduced minimum standards for newly created small capacity centers and outdoor nature-based child care centers based on feedback from the field.
- Allows specialized equipment to be used for a child if specified in their IFSP, IEP, or 504 plan to meet the individualized needs of a child, while ensuring safety for all children.

Part 3. Staffing

What: Minimum standards for staffing including who can work or volunteer in a child care program (background checks) and how many children can be served by a single adult (ratio).

Why: Children deserve to be safe in care. To ensure children's safety and well-being, staff must pass a background check, have knowledge of health and safety standards, and demonstrate (or are acquiring) knowledge of child development.

What to know about the proposed changes:

- Streamlined rules by removing significant overlap of rules and quality standards needed to create a safe environment for children to learn and grow.
- Expanded qualifications emphasize essential skills, knowledge, and abilities for program administrators, site administrators, and lead teachers, while supporting provider's commitment to continuous improvement and quality through participation in the Great Start to Quality program.
- Added administrative flexibility to allow program administrators to oversee multiple sites, addressing workforce challenges more effectively.
- Added Educational Leadership to the qualifications so principals may qualify as a program administrator.

- Revised Requirement: Within two years of the effective date of the rules, all staff must have a MiRegistry account and have employment verified within the system to ensure critical health and safety training is complete.
- Training Update: Reorganized federally required orientation and professional development training in effort to make the rules clearer and more manageable for child care providers.
- Flexible Group Sizes: Group size requirements have been adjusted to better meet the needs of child care centers.
- Naptime Ratios: Allows for ratios to be reduced during naptime under certain circumstances allow programs to manage workforce needs while also prioritizing child safety.

Part 4. General Health and Safety

What: Establishes comprehensive health and safety requirements for child care centers covering topics such as handwashing, diapering/toileting, biocontaminant precautions, medication administration, incident and illness reporting, and emergency preparedness plans.

Why: To promote and protect the health, safety, and security/well-being of children, staff, and volunteers.

What to know about the proposed changes:

- Health and Safety Requirements: Clarified federal health and safety requirements to assist with federal compliance.
- Mandatory food allergy plan: Created a requirement for centers to have a food allergy plan and detailed requirements for the plan to provide for children's welfare.
- Outdoor benefit-risk assessment management plan: Developed minimum standards for outdoor nature-based programs including requiring an outdoor benefit-risk assessment management plan to provide for safety of children.

Part 5. Program and Care

What: Provides regulation for the care of children, emphasizing developmentally appropriate learning experiences, and positive discipline methods in licensed child care center settings.

Why: Parents should know the expectations for care standards that support their children's emotional and physical well-being.

What to know about the proposed changes:

- Outdoor Nature-Based Centers: Introduces programming requirement for outdoor nature-based centers.
- Primary Teacher Role: Introduces term "primary teacher" and clarifies the role and requirement for a primary teacher caring for infants and toddlers.
- Nighttime Care: Clarifies that children can go back to sleep when they are dropped off during any nighttime care hours.
- Discipline Practices and Prohibited Punishment: Updates expectation for appropriate discipline.
- Clarifies prohibited means of punishment.

Part 6. Food Services and Nutrition

What: Provides standards for food service, cleaning, and nutrition.

Why: Children deserve to have nutritional food prepared safely in a clean environment.

What to know about the proposed rule changes:

- Filter First: Introduces statutory requirements for a drinking water management plan to ensure safe drinking water.

Part 7: School Age Child Care Center Specific Provisions and Exemptions

What: A dedicated section for rules and exemptions specific to school-age child care centers.

Why: Assist providers who serve school-age children understand and comply with regulations.

What to know about the proposed rule changes:

- Centralized Rules: Reorganized rules to make it easier to find requirements for school-age child care centers. This section summarizes rules that appear throughout the rule set and does not introduce new requirements.

Part 8. Fire Safety

What: Sets standards for facilities to comply with fire safety rules and regulations. Adopts specific National Fire Protection Association standards for fire protection systems, interior finishes, and structural elements to ensure safety.

Why: Children deserve to be in safe buildings.

What to know about proposed rule changes:

- Enhanced Language: Provided clearer language in rules and definitions to assist in clarity and compliance for terms such as Child Care Room, Closet, and Fuel-Fire Appliance.

Part 9. Transportation

What: Safety standards for vehicles and transporting children.

Why: Parents deserve to know that their children will be transported in a safe manner.

What to know about the proposed rule changes:

- Time limit extension: Transportation time limit was extended from 1 hour to 1.5 hours for children under school age to recognize more time is needed for facilities to transport children in all settings.

Part 10: Swimming

There were no changes to the rules in this section.