

# Iron Range Learning and Development Center



# Family Handbook

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# INTRODUCTION

## Mission

The mission of Apple Tree Learning Center is to serve families who live, work or study in the East Range area by providing positive learning experiences that encourage healthy development and shape the lives of our children and families.

## Statement of Values

1. High Quality of Care: Apple Tree invests in the building blocks of a nurturing, supportive environment that engages children, volunteers and staff in a continuous learning process.
2. Accountability: Apple Tree upholds the highest ethical standards and integrity while striving for excellence in child care.
3. Welcoming: Apple Tree welcomes and respects families and community members from diverse backgrounds
4. Community Engagement: Apple Tree plays an active educational and economic role in the community. We are a vital part of providing secure child care for family members who work and attend school.
5. Supportive: Apple Tree develops and fosters relationships within our community to offer support that helps build the balance in healthy families.

## Operating Guidelines

1. Apple Tree Learning Center (ATLC) is an independent, private, not-for-profit, 501 (c) (3), public charity, licensed child care center.
2. Apple Tree is licensed by the State of Minnesota - Department of Human Services. The Department of Human Services, Division of Licensing can be reached at 651-431-6500.
3. Apple Tree Staff are trained and use a five step Behavior Management Technique:
  - a. Verbal Redirection
  - b. Activity Verbal Redirection
  - c. Guided Redirection
  - d. Long Term Redirection
  - e. Timed Separation (Time Out)
  - f. Prohibited Actions (See page 11)
4. Apple Tree follows all local fire, health, and building codes to ensure a physically safe environment.
5. Children are supervised at all times by trained qualified staff members.
6. Parents and authorized parties are encouraged visit with their children at any time. We do not allow unauthorized individuals to loiter at or around Apple Tree or to pick up children.

## **NON-DISCRIMINATION STATEMENT**

- A. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, familial status, sexual orientation, and reprisal. (Not all prohibited bases apply to all programs.) See page 18 for full statement and contact information.

## **Hours and Days of Operation**

Hours of operation are Monday through Friday from 6:00 a.m. to 6:00 p.m. Apple Tree is designed and staffed to serve 127 children from 6 weeks through 12 years of age. The Center is closed\* during the legal holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. \* Center may be closed on days immediately preceding or following these holidays. Ex. If Christmas Day falls on a Tuesday the center may close on Monday.

## **Center Closing Policy**

It is the policy of Apple Tree Learning Center to be open whenever possible on days when school is closed due to extreme weather conditions including excessive cold. Apple Tree provides a valuable service to parents on days when schools are closed but other businesses remain open.

- A. Apple Tree Learning Center director or designee will determine if the center needs to be closed due to weather or other factors.
- B. If the center is closed for any reason on a scheduled open day, the director/designee shall:
1. Post on Facebook about the closing.
  2. Call Local Media outlets using school closing protocol:
    - a. Radio
      - i. WEVE
      - ii. Midwest Radio Network (WTBX, USA, KMFG)
    3. Television:
      - i. WDIO Channel 10
      - ii. Northland's news center (KBJR/KDLH) Channels 6 & 3.
      - iii. The Director/designee shall call all staff on the schedule and inform them of the closing.

# ADMISSION AND ENROLLMENT

## General Procedures

1. An enrollment packet may be attained by calling/stopping by the center or by accessing our website. This enrollment packet containing several forms must be completed before your child can be admitted to Apple Tree (or added to the waiting list) and must be accompanied by a non-refundable application/registration fee (\$25 per child.)
2. Upon receipt of the completed forms and a one-time non-refundable application /registration fee your child will be entered into our system for enrollment in the program or will be put on the waiting list, if one exists.
3. The waiting list is evaluated on a regular basis.
4. Once a slot has been offered and accepted by the family, the child will be considered enrolled. Before the child's first day, a short tour and admission conference can be scheduled with the Director/designee and/or the classroom teacher. This will give you and your child the opportunity to get acquainted with Apple Tree and give us an opportunity to get to know you better. Parents are encouraged to visit the Center with their child at least once before the child begins attending.

## Required Forms\*

The following six (6) forms must be completed prior to admission to Apple Tree. The information on these forms is confidential.

*\*Minnesota Rule 3 requires child care centers receive a copy of any individual or family education or care plans that a child may have from a public or private school. This form is then used to create an Individual Child Care Plan specific to the child's care at Apple Tree Learning Center. Please contact the office for more information about Individual Child Care Plans at Apple Tree.*

### 1. Emergency and Authorization Form

- a. It is extremely important that all information on the Emergency and Authorization Form is current. Please notify Apple Tree administration with any changes. It is the responsibility of the family to ensure all contacts are up to date at all times.
- b. Our licensing requires **four (4) different** contacts on the first page of our information form: two (2) primary contacts and two (2) secondary contacts. Please be sure to complete as much information as possible on this page.
- c. Adding a contact requires a primary contact to come into the center and physically add the contact to the file. Additional contacts may not be added via email or telephone.
- d. Removing a contact from the pick-up list requires the completion of a new face sheet. The old sheet will be removed from the file and destroyed.
- e. Please communicate with Apple Tree staff if regular primary contacts will be unavailable on a given day and provide alternative emergency contacts.
- f. Please communicate with the center if the designated pickup person is running late. In the event that a child is at the Center after closing and there has been no communication from primary contacts, the following steps will be taken by Apple Tree staff members in the order presented (starting 5 minutes after official closing time):
  - i. Call administration.
  - ii. Call the contacts leaving messages.
  - iii. Call the additional contacts on the Emergency and Authorization Form.
  - iv. Contact 911 to activate emergency professionals to assist as necessary.
- g. At the time of enrollment, parents must provide the names of persons who are allowed to pick up their child. People not on the contact list will not be able to pick up children while attending the center. It is the parent's responsibility to inform the center of any

changes in the names of these persons. We will release children only to authorized persons.

- h. Copies of legal documents must be provided to the Director/designee before any staff can actively prevent a child from being picked up by a non-custodial parent. We will not release a child to a person who appears to be incapacitated or to a suspected child abuser. In this situation, we will call an alternative person on the Emergency and Authorization Form.

## **2. Child Profile Form**

- a. The tentative schedule at the top of this page is for licensing purposes. This is an idea of the times needed for child care. **It is not considered a submitted schedule.**
- b. The information parents provide on this form helps our staff understand your child, his/her likes and dislikes, habits, and so forth.

## **3. Parent Agreement Form**

- a. We are required to obtain parent signatures agreeing to the following:
- b. Acknowledgement and understanding of Center policies, parent responsibilities, and fees to be paid.
- c. Permission for general field trips (i.e. going for a walk).
- d. Permission for your child to be photographed during Center activities and used for promotion.

## **4. Immunization Record**

If your child has a complete series of immunizations, this form can be filled out by the parent. For children who have not completed a full series, the form must be completed by the child's physician

## **5. Health Care Summary**

- a. State regulations require that each child have a health statement completed by his/her source of medical care before admission into the program or within thirty days after admission.
- b. Apple Tree requires this form with the application. (Children will not be put on the waiting list, if applicable until this form is returned.)
- c. \*A new Health Care Summary will be required when your child attains eighteen (18) months of age, three (3) years of age, and upon entering Kindergarten.

## **6. Payment Method**

This form indicates how payment will be made for services provided. Families receiving state or county family assistance will need to be confirmed with county/state contact listed. This confirmation may take some time. Be sure to apply before your child is enrolled.

## **Copies of Forms**

Copies of a child's file and forms submitted to the center may be obtained by families upon written request. Please allow 2(two) business days for this request to be completed.

# BILLING INFORMATION

## Tuition Rates

Tuition rates for each age group are as follows:

### Appletree Tuition Plans 2023

#### Age Group

Infant 5 day 200

Infant 4 day 180

Infant 3 day 160

Drop In 55

Toddler 5 day 190

Toddler 4 day 170

Toddler 3 day 150

Drop In 50

Preschool 5 day 180

Preschool 4 day 160

Preschool 3 day 140

Drop In 45

PreK B/A 70

5 day only

School Age 5

B/A 55

School Age 4

B/A 45

School Age 3

B/A 35

Drop In 15

SA 5 Full 170

SA 4 Full 150

SA 3 Full 130

Drop In 40

### *Payment Schedule*

For those paying directly, you will be billed every two weeks. You may either pay online, drop off or your payment or mail it to:

Apple Tree Learning Center  
409 1<sup>st</sup> Street North  
Virginia, MN 55792

**ALL PAYMENTS ARE DUE FRIDAY BY 6PM** (The Friday after invoices are sent out).

- A. Please know that Apple Tree Learning Center is a non-profit, charitable entity and operates on a daily rate for childcare.
- B. Finance Charges (\$25) will be assessed on Monday for all accounts not paid by Friday the same week as the invoice date. An additional Finance Charge (\$25) will be assessed on accounts not paid by that Friday.
- C. For your convenience, we offer an Auto-Payment Plan through the SmartCare system or you may sign up for auto pay in the office.
- D. For families with third party billing (County or State assistance), vouchers must be signed and returned to the office within the same period.  
ATLC bills third parties directly. If third party arrangements change in any way, Apple Tree Learning Center must be informed immediately. **Families are responsible for all childcare expenses.** Co-pay amounts will be billed bi-weekly for childcare services rendered. Co-pays are due within the same time frame as above. Finance fees may apply for co-pays not paid or vouchers not signed within the week time frame.
- E. Childcare privileges will be denied if full payment is not received by the next bi-weekly billing date. When a payment has been made, childcare privileges will be reinstated as available.
- F. Childcare accounts more than 60 days overdue will be closed and considered for collections.
- G. We charge according to your chosen child care plan. You will be billed for your scheduled plan each week unless you notify us to use a vacation week. Drop in days are available on a case by case basis and will be charged in addition to your weekly plan if you choose to attend an additional day.
- H. Summer fees are charged out in May. These fees help pay for summer field trips and in-house special events. The fee schedule is as follows:
  - 1. Infants-no summer fee.
  - 2. Toddlers-\$25 per child
  - 3. Preschool-\$40 per child
  - 4. School Age-\$50 per child

***Insurance***

Apple Tree maintains proper insurance coverage for a childcare center. The center charges each family a quarterly insurance fee (in January, in April, in July, and in October) to help defray the cost of accident insurance. This rate is \$25 for the first child, and \$10 for each additional child enrolled.

## Scheduling Policy

1. Schedules are due by noon on Wednesday for the following week. Schedules can be submitted in writing to the office, the black payment box, or electronically to [schedules.atlc@gmail.com](mailto:schedules.atlc@gmail.com).
2. You will be billed for your chosen tuition plan, even if you do not attend. However, you are allowed two vacation weeks per calendar year. You must inform the center if you wish to use a vacation week. You must use a full week (cannot break them into individual days.) Cancels are billed as scheduled. Please contact the administration with special circumstances or concerns.
3. The Center is closed\* during the legal holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the day after, Christmas Day. If Christmas lands on a weekend a floating holiday will be used in its place. If the center is closed due to holidays we will flex tuition plans. For example, if a family is on a five day per week plan and we are closed Thursday and Friday of Thanksgiving week, that family would be charged the three day rate.

## Signing In/Out

5. Apple Tree Learning Center is a secure center. All gates and doors are locked throughout the day. To gain access to the center, parents, family members, and friends will need to use a key card to gain access to the center. If you forget your key card please ring the door bell. If you lose your key card please notify the office asap. Please do not let others into the building. Ask them to wait for a staff member to assist.
6. Adults picking up children without a key card will need to stop at the office window or ring the bell for assistance. Those adults will then be asked for a picture ID and check the child's file for the pick up person's name.
7. It is very important that your child is clocked in upon arrival. This allows for accurate attendance records and to account for each child in case of an emergency and for billing purposes.
8. Family members must be acknowledged by a staff member upon drop off. Please do not allow the child to enter a room unattended. Children must be supervised by an adult at all times while on ATLC property.
9. ***Families are to reinforce all of ATLC safety rules during drop off and pick up times. These rules apply to enrolled children, as well as guests and siblings.***
  - a. Especially important rules families can help with:
    - i. Walking feet.
    - ii. Stay with an adult.
    - iii. Inside voices in the building.

## Late Pick Up Fees

A late fee of \$25 per child will be charged in addition to scheduled hours when a child is not picked up from the center by 6:00 p.m. Staff will begin calling all pickups listed until someone is reached to get the child from the center.

## Cancellation of Services

Appletree requests a 2-week notification of cancellation of care but may waive this fee on a case by case basis. Failure to complete proper notification may result in the billing of an additional two full-time weeks of service.

# BEHAVIOR MANAGEMENT POLICIES AND METHODS

## Positive Discipline

Self-regulation allows children to control their actions. They must develop the ability to know when to act, when to control their impulses, and when to search for alternative solutions. This is a learned process that can be fostered by our teachers, who use an integrated approach that considers the whole child and the developmental level of that child. Developmentally appropriate practices and positive guidance strategies go hand in hand. Our teachers make sure their expectations are in line with the developmental levels of the children. Some examples of positive guidance techniques we utilize include:

1. Giving children choices.
2. Teaching expected behavior.
3. Our teachers model appropriate behavior continuously.
4. Redirecting behavior through diverting, distracting, and substituting.
5. Setting limits provides boundaries for the children. Limits are set to assure the safety of the children. They also provide a framework in which trust, respect, equality, and accepting responsibility can flourish.

## **Persistent Unacceptable Behavior**

### **Challenging or Extreme Behaviors Defined**

Challenging or extreme behaviors are defined as:

- a. Any child biting another person.
- b. Any child hurting another person intentionally.
- c. Any child swearing or using hurtful language.
- d. Any child spitting on others.
- e. Any child inappropriately touching others.
- f. Any child intentionally destroying property.

### **Staff Procedures**

1. Staff will follow the procedures listed in the positive discipline section.
2. Teacher will document challenging behavior using appropriate forms. Teacher will discuss the incident with parents when they pick the child up, and will also provide a written report of incident regarding their child.
3. In the event of a challenging behavior that cannot be resolved in the classroom, it is the practice of Apple Tree to have Program Manager/designee come in to assist with child redirection. Parents will be notified in writing that this has taken place.
4. If a second incident of challenging behavior occurs in the classroom that cannot be remedied by the teacher, the Program Manager/designee will come in to assist with child redirection. Documentation shall occur. A meeting will then be held with the family to determine the appropriate Individual Child Care Plan and the steps needed to ensure child safety in accordance with Rule 3. This plan may include parameters that may include temporary suspension of child care.
5. After a third occurrence of challenging or extreme behavior the Individual Child Care Plan will be followed. At this time it may be determined that a center setting is not the most appropriate placement for child. Apple Tree will assist as possible during the transition to a new care provider.

## **Prohibited actions**

In accordance with MN 9503.005 Apple Tree Learning Center prohibits the following actions by or at the Apple Tree Family Handbook 2018

direction of a staff person (including volunteers):

Subjection of a child to corporal punishment.

Corporal punishment includes, but is not limited to, rough handling, shoving, hair pulling, ear pulling, shaking, slapping, kicking, biting, pinching, hitting, and spanking.

Subjection of a child to emotional abuse.

Emotional abuse includes, but is not limited to, name calling, ostracism, shaming, making derogatory remarks about the child or the child's family, and using language that threatens, humiliates, or frightens the child.

Separation of a child from the group except as provided in subpart 4.

Punishment for lapses in toilet habits.

Withholding food, light, warmth, clothing, or medical care as a punishment for unacceptable behavior.

The use of physical restraint other than to physically hold a child when containment is necessary to protect a child or others from harm.

The use of mechanical restraints, such as tying.

## **PROGRAMMING**

### **Staffing**

1. The staff at Apple Tree are employed at three different levels; Teacher, Assistant Teacher, or Aide. Teachers have a four-year degree in early childhood education or an equivalent in terms of education and experience. Assistant Teachers have most often completed vocational/technical school or community college child development training programs. Aides work under the direction of Teachers and/or Assistant Teachers and have a basic understanding and enjoyment of young children. The Department of Human Services (DHS) sets standards for minimum distribution of the three levels of staff throughout the day. At times DHS has allowed us to use an Aide as a Teacher for 25% of the day. This will be documented if we ever need to use this.
2. ATLC also uses volunteers to supplement the required staffing ratios. Volunteers are not counted in ratios, but are utilized to create a lower number of children per adult in each room.

### **Daily Schedule and Lesson Plans**

Apple Tree uses a year round, center wide curriculum based on letters and colors during the school year and theme weeks during the summer. Schedules are posted in a designated area of each classroom as well as the main hallway and online. Please be sure to look at these schedules. The center's overall program plan is available from the office upon request. These schedules are subject to change. Our formal learning curriculum is Funshine for Infants and Toddlers and Highscope for our Preschoolers.

### **Field Trips**

1. ATLC obtains permission for all special field trips. Parents will be asked to sign a separate form for each field trip. The form will specify class, destination and duration of field trip.
2. Apple Tree children regularly go for community walks. Staff members check out with the office staff, reporting number of children, number of adults, route of walk, and expected time of return. Staff members carry walkie-talkies and/or cell phones to communicate with the center.
3. All regular community walks are posted.
  - a. Families should to be aware of these scheduled activities.
  - b. Families are asked to schedule drop off and pickup times so that children are at the center prior to leaving for or returning from activities.
  - c. Families are responsible for making arrangements to drop off or pick up children at the site of activities outside of the facility if they are unable to adjust times to meet the class at the center.

## Health Care Standards

- A. State regulations require that each child have a health statement completed by his/her source of medical care before admission into the program or within thirty days after admission\*.  
\*Apple Tree requires this form with the application. (Children will not be put on the waiting list, if applicable until this form is returned.)
- B. A new Health Care Summary will be required when your child attains eighteen (18) months of age, three (3) years of age, and upon entering Kindergarten. Please provide the Director/Teacher with any special information about your child's medical history (allergies, medications, etc.) All food allergies will require a special dietary statement signed by your child's physician to place in your child's file.
- C. Please see that your child receives all scheduled immunizations. Be sure to inform ATLC administration when a new immunization is given so your child's records can be updated. *All immunizations must be on file before your child begins attending Apple Tree.*

## Diapering Procedures

1. Staff will wash hands with soap and water before beginning procedures.
2. Wear disposable non-latex gloves.
3. Assemble all supplies needed and put them within your reach so you will not have to leave the child's side once the child is on the changing table. (always keep one hand on the child.)
4. Place changing paper large enough to cover the child's entire body on the table. Place the child on the paper. Remove clothing and diaper, putting the diaper in a disposable container immediately.
5. Cleanse the child's diaper area with a wipe. Use wipes from individual container. Wash the area from front to back so as not to contaminate the urethra or vagina with feces. Cleanse and dry creases and folds well.
6. Apply the child's individual surface prescriptions, if any. Put on the clean diaper and clothing.
7. Remove gloves.
8. Wash child's hands with soap, rinse and dry well.
9. Return child to play area.
10. Remove changing table paper, clean and sanitize table top.
11. Wash hands.

A child's hands will be washed with mild soap and water at each diaper change.

Thorough hand washing procedures will be followed by the staff before and after each diaper change.

State rule allows only the use of disposable diapers.

### **Emergency and Medical Care**

1. In the event that emergency medical care is warranted, the director/designee will take necessary and proper steps to obtain needed care. These steps include, but are not limited to:
  - a. Attempt to contact parent
  - b. If the parent cannot be reached, a call will be made to 911.
2. The nature of the injury will determine the order in which the steps will be taken. Our primary objective will be to obtain medical treatment for your child. The Center's staff are all trained in First-Aid and CPR procedures.

## Sick Child Policy

1. All children get sick. The best way to be prepared for these unavoidable sick days is to plan ahead. Please call the center to use a sick day for your child when ill. Under State rule, we cannot accept nor can we allow children to be at the Center when they are ill. Please find an alternative caregiver. Any child who becomes ill at the Center will be isolated from the group and the primary contact will be called immediately.
2. A child may not come to Apple Tree and/or will be sent home if any of the following occur:
  - a. Has vomited 2 or more times since admission that day or has vomited at home within 24 hours prior to arrival.
  - b. Has had 2 or more abnormally loose stools since admission or has had abnormally loose stools at home within 24 hours prior to arrival.
  - c. Has contagious conjunctivitis, as diagnosed by a doctor, or any pus draining from the eye.
  - d. Has a bacterial infection, such as strep throat or impetigo, and has not completed 24 hours of prescribed medication.
  - e. Has a contagious illness and a doctor has determined that the child has not had sufficient treatment to reduce the health risk to others.
  - f. Has lice, scabies, ringworm, etc. that is untreated and contagious.
  - g. Has a temperature of 100 degrees Fahrenheit, or higher, **BEFORE** giving fever reducing medication.
  - h. Has an undiagnosed rash or a rash that may be attributed to a contagious illness or condition.
  - i. Has significant respiratory distress.
  - j. Cannot participate in child care activities with reasonable comfort.
  - k. Requires more care than our staff can provide without compromising the health and safety of the other children in our care.
3. Parents will be notified of any exposure to infectious or communicable diseases by way of written posted notice at the entry of the building. Parents must in turn notify the Center of any infectious or communicable disease within 24 hours so that other parents can be notified to watch their children for symptoms. The Center will consider the circumstances of each illness and make a decision regarding whether an individual child can be present at the Center that day.

## Medications

1. Apple Tree can only administer medications and over-the-counter products when state requirements are met as follows:
2. Parent's permission will be in writing (must fill out a Medication Administration Sheet).
3. Doctor's permission via prescription is required; the pharmacy label serves as the doctor's permission. This label must include prescription number; name of drug; strength and quantity; expiration date; specific directions for; child's name; physician's name; date of issue; name and address of licensed pharmacy issuing medication.
4. Apple Tree cannot administer PRN or "as needed" medication. Times must be designated on medication administration sheets.
5. A teacher, with certain exception (depending on availability), will administer the medication as directed.
6. Any medication container having a detached, excessively soiled, or damaged label shall be returned to the parent for re-labeling at the issuing pharmacy. Unused portions will be returned to the parent or, if not picked up, discarded. Medications with a specific expiration date will not be used after expiration. Medicines will be stored in a locked container. This container is kept in the infant room.

## Nap and Rest Time

1. State regulations require that children in a full day childcare program need rest and quiet time as part of the daily schedule. Children are required to have 30 minutes of quiet time while at the Center. Children will be offered a nap time from 12:30 - 2:30 daily. Children that do not sleep during the entire quiet period will be offered an alternative space to play or will rejoin other children in the center. Children that have rested quietly for 30 minutes cannot be forced to remain on a cot or in the quiet area.
2. School age children will be given the opportunity to rest or participate in a 30 minute restful/quiet activity daily.
3. In the Infant room, each child will have his or her own crib and will be offered nap time as needed throughout the day.

## **Outdoor Play**

1. Outdoor play is a routine part of our program. We teach children responsible habits regarding clothing for each weather season.
2. Especially during cold weather, please send your child with appropriate clothing (boots, hat, mittens, Snow pants, etc.) for outside play. Please label ALL of your child's clothing to prevent mix-ups.
3. Apple Tree cannot store nor provide extra clothing for children that do not come dressed for the weather.
4. Apple Tree policy is to stay indoors if the weather is Zero degrees or colder (with the wind chill).
  - A. Approximate time spent outdoors
    - i. 0-10 degrees – 10 minutes
    - ii. 10 – 15 degrees – 15 minutes
    - iii. 15 – 20 degrees – 20 minutes
    - iv. Above 20 degrees – Staff Discretion

# Meals and Snacks

## NON-DISCRIMINATION STATEMENT

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

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**Mail:** U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410  
**Fax:** (202) 690-7442; or  
**Email:** [program.intake@usda.gov](mailto:program.intake@usda.gov)

USDA is an equal opportunity provider and employer.

### Nutrition Guidelines

1. Nutritious meals and snacks are carefully planned, prepared, and served to your child each day. Meals are prepared here in our own kitchen and meet the state's requirements for health and nutrition. Meals and snacks are served according to the following schedule:
  - a. Breakfast - 8:30 - 9:30 a.m.
  - b. Lunch - 11:30 a.m. - 12:30 p.m.
  - c. Snack – 2:45 – 3:45p.m. (Extended time for school age due to public school bus drop off.)
2. All food allergies will require a special diet statement signed by your child's physician with food alternatives listed to place in your child's file. It is the responsibility of the family to ensure the form is complete properly. ATLC will not accept incomplete forms.
3. ATLC kitchen staff is not able to make food accommodations based on child or family preferences. Minimum USDA component and portion requirements will be offered to every child. Children have the right to refuse any or all meal components offered to them.
4. Food served to children cannot leave the center as leftovers or to be consumed later.

### Infant Feeding

1. Formula/Breast Milk – Apple Tree Learning Center provides formula based on USDA requirements to all infants.
  - a. Parents may choose to provide child specific formula based on family preferences and needs.

- i. Should a family provide a different formula additional forms will be required. The family will then need to provide formula that is labeled with the child's first and last name.
  - b. All unconsumed formula will be discarded. Formula cannot be saved and reheated.
  - c. Families will be notified when the provided formula is running low and more is needed.
2. The Center acknowledges the advantages of breast feeding for infants, and will strive to support parents who choose this form of feeding. Nursing mothers must provide the Center with a sufficient supply of breast milk for the time their child is scheduled each day. Breast milk containers must be labeled with first and last name of child. Apple Tree will also provide a quiet area of the infant room to comfortably feed the infant.
3. Baby Food - The Center will provide commercial baby food. Each child's portion of food will be removed from the container with a plastic serving spoon and put into a bowl. Food not consumed will be discarded. In accordance with the state rules, no homemade food is allowed. Each family must fill out and sign a form indicated which foods are allowed to be fed to the infant. Apple Tree will provide this form. Families are responsible to keep this form current as the child's diet changes.
4. Table Food - Beginning at 12 months of age, those infants who are able to eat table food will be served the same menu available to toddlers. Food will be cut and mashed as necessary.

### **Birthdays and Holidays**

If your child wishes to bring a treat, please discuss it with his/her teacher. All foods must be packaged from a store or professional Bakery. State health regulations prohibit serving food prepared at home. Please do not send gum, candy, popcorn, or peanuts for a treat due to a potential choking hazard.

## **What Your Child Should Bring**

**\*\*\*\*PLEASE LABEL ALL ITEMS WITH YOUR CHILD'S FIRST AND LAST NAME\*\*\*\***

### **Clothing (All Age Groups)**

1. Be sure your child is dressed appropriately for the day. He/she may participate in rigorous activities and needs durable clothing. In addition, children will participate in "messy" activities, such as painting. Although we do take precautions to prevent clothing from getting damaged, accidents do happen. All children are asked to have at least one complete change of clothing.
2. Apple Tree is not responsible for lost or stolen articles of clothing. Labeling all clothing reduces the chances of confusion or mistaken clothing identity.

### ***Infants and Toddlers***

1. Two complete change of labeled clothing.
2. Diapering ointments/creams. Parental permission must be given by filling out a Med Slip in order to use any diaper cream. Prescription creams must have a pharmacy label on the container. All creams must be labeled with first and last names.
3. Pacifier, if child uses one, labeled with first and last name.
4. Formula or breast milk if not using ATLC provided formula.
5. Package of disposable diapers and package of wipes.
  - Cloth diapers are not allowed at Apple Tree at this time.

### ***Preschool/Prekindergarten***

1. One complete change of labeled clothing.
2. If your child has a special blanket that he/she needs in order to sleep, it can be brought to the Center.

### *School-Age*

1. One complete change of clothing.

### **Appropriate shoes**

1. Flip flops and open toed shoes are not conducive to the active day children have in the large muscle room or outdoors. Please ensure your child's safety by using closed toe shoes only.
2. Boots are required for winter outdoor play.

### **Personal belongings**

1. Do not bring movies, toys, or iPads from home to share. ATLC cannot be responsible for lost, stolen or broken items from a child's home.
2. Children may bring share items on share day that are properly labeled. These toys are to be kept in the locker area until share time and will be put away after share time. Check with your child's teacher about specific show and share days.

### **Lost and Found**

1. When articles of clothing are found at Apple Tree. If the items are not claimed in a reasonable amount of time they will be donated to a local charity.
2. The article of clothing/toy/personal belongings will be kept in the lost and found area in our front hallway.

**\*\*PLEASE LABEL ALL ITEMS WITH YOUR CHILD'S FIRST AND LAST NAME\*\***

## **COMMUNICATION BETWEEN STAFF AND PARENTS**

### **Daily Communication**

1. Our staff welcomes comments and suggestions to improve the quality of care for your child. When areas of concern arise, the problem should be brought to the attention of the classroom teacher. If additional communication is necessary, parents should discuss concerns with the administration.
2. In the Infant classroom, staff will provide daily written reports, including amounts of formula or food consumed, sleep times, bowel movements, health observations, general mood, and play activities.
3. SmartCare is used as a communication tool in all classrooms. Please download the app "SmartCare for Parents" upon enrollment and watch your email for activation codes.

### **Parent-Teacher Conferences**

1. There will be opportunities for Parent/Teacher conferences to discuss the general aspects of your child's development.
2. Conferences with your child's Teacher and the Director will be offered twice a year. Parents who have concerns about their child's progress are encouraged to speak to the Teacher or Director so that more frequent conferences can be arranged.

## **OTHER IMPORTANT INFORMATION AND POLICIES**

### **Transportation**

1. Parents are responsible for transporting children to and from the Center. Parents must maintain physical control of their children at all times while in the center, on the grounds, and in the parking area.
2. Apple Tree does not arrange transportation to or from other facilities, but will provide assistance to the parents as needed. Apple Tree's sphere of care ends when a child steps onto the transportation or an employee of another entity takes charge of a child.

### **Pets**

Pet visits to the Center must be arranged in advance with the administration. Visiting pets must provide current shot records.

## **Safety Drills**

1. Fire drills are once a month to practice building evacuation with staff and the children. A unit on fire safety is presented at least once a year in the Preschool classroom. A field trip to the Fire Department is part of the unit.
2. Tornado Drills are practiced once a month from April through September.
3. Other safety drills may include evacuations and lock downs. These drills will be held and tracked on a regular basis.

## **Other Parental Permission**

Written parental permission will be obtained before any research, experimental procedure, or public relations activity takes place involving a child.

## **Internal Review Policy**

Upon report or question by a staff or parent, the following procedures shall be followed to investigate and report (if necessary) the maltreatment of a minor.

Use of the center internal report document shall be completed by the Executive Director in a timely manner.

The internal report document includes:

1. Report of Incident (Include time, date, description).
2. Were Center Policies and Procedures followed?
3. Are Center Policies and Procedures Adequate?
4. Is there a need for additional staff training?
5. Is there a need for other corrective actions?
6. Is there a pattern or is this a reoccurring event?
7. Corrective action taken by center if needed?

Upon completion of the review, Apple Tree shall document any changes or corrective actions taken to ensure the safety of the children. All documentation relating to the internal review shall be available to the licensor upon request.

## **Child Care Outside of Apple Tree**

Apple Tree Learning Center does not provide outside child care services. All care given is given during regular business hours and follows state licensing requirements.

Apple Tree recognizes that new families to the area and current families may wish to use Apple Tree as a resource to find qualified child care for evenings and weekends. Apple Tree will accept the name and contact information of families seeking additional child care and post those names in the staff lounge as a service to our families. It is then up to the staff/volunteers to make contact with families and make arrangements that do not interfere with the day-to-day operations of the center. Staff providing outside child care must not allow the outside relationships to affect the quality of child care provided while employed at Apple Tree Learning Center.

## **Bullying Prohibited**

Apple Tree Learning Center prohibits bullying of any kind at the center or during any Apple Tree activity. “Bullying” means the use of words, images, actions, in one or a series of incidents, either through direct or indirect interactions between individuals or through technology, that a reasonable person would or should know, under the circumstances, will have an effect of interfering with the ability of one or more individuals, including those that witness the conduct, to participate in a safe and supportive environment. Bullying can occur between children, staff, volunteers, family members, or community members.

Apple Tree staff are trained to recognize and redirect children when bullying occurs in the center.

While a “zero tolerance” policy is a good goal, Apple Tree realizes that children learn from all environments and may need to have redirection while at Apple Tree to learn proper interaction.

Incidents of excessive bullying are documented and individual childcare plans may be created to assist in the redirection of children. Family members will be included in the creation of individualized child care plans as needed.

## **REPORTING POLICY FOR PROGRAMS PROVIDING SERVICES TO CHILDREN**

### **Who Should Report Child Abuse and Neglect**

1. Any person may voluntarily report abuse or neglect.
2. If you work with children in a licensed facility, you are legally required or mandated to report and cannot shift the responsibility of reporting to your supervisor or to anyone else at your licensed facility.
3. If you know or have reason to believe a child is being neglected or physically or sexually abused within the preceding three years, you must immediately (within 24 hours) make a report to an outside agency.

### **Where to Report**

1. If you know or suspect that a child is in immediate danger, call 9-1-1.
2. All reports concerning suspected abuse or neglect of children occurring in a licensed facility should be made to the Department of Human Services, Licensing Division's Maltreatment Intake line at **(651) 431-6600**.
3. Report regarding incidents of suspected abuse or neglect of children occurring within a family or in the community should be made to the local St. Louis County social services agency at **749-7100** or Virginia Police Department at **748-7510**.
4. If your report does not involve possible abuse or neglect, but does involve possible violations of Minnesota Statutes or Rules that govern the facility, you should call the Department of Human Services, Licensing Division at **(651) 431-6500**.

### **What to Report**

1. Definitions of maltreatment are contained in the reporting of Maltreatment of Minors Act (Minnesota Statutes, section 626.556) are available online at [www.revisor.mn.gov/statutes/?id=626.556](http://www.revisor.mn.gov/statutes/?id=626.556) .

- a. A report to any of the above agencies should contain enough information to identify the child involved, any persons responsible for the abuse or neglect (if known), and the nature and extent of the maltreatment and/or possible licensing violations. For reports concerning suspected abuse or neglect occurring within a licensed facility, the reports should include any actions taken by the facility in response to the incident.
- b. An oral report of suspected abuse or neglect made to one of the above agencies by a mandated reporter must be followed by a written report to the same agency within 72 hours, exclusive of weekends and holidays.

## **626.556 REPORTING OF MALTREATMENT OF MINORS.**

### **Subdivision 1. Public policy.**

The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through physical abuse, neglect, or sexual abuse. While it is recognized that most parents want to keep their children safe, sometimes circumstances or conditions interfere with their ability to do so. When this occurs, families are best served by interventions that engage their protective capacities and address immediate safety concerns and ongoing risks of child maltreatment. In furtherance of this public policy, it is the intent of the legislature under this section to strengthen the family and make the home, school, and community safe for children by promoting responsible child care in all settings; and to provide, when necessary, a safe temporary or permanent home environment for physically or sexually abused or neglected children.

In addition, it is the policy of this state to require the reporting of neglect, physical or sexual abuse of children in the home, school, and community settings; to provide for the voluntary reporting of abuse or neglect of children; to require a family assessment, when appropriate, as the preferred response to reports not alleging substantial child endangerment; to require an investigation when the report alleges substantial child endangerment; and to provide protective, family support, and family preservation services when needed in appropriate cases.

### **Subd. 2. Definitions.**

As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

- (a) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs that is applied to a child maltreatment report that does not allege substantial child endangerment. Family assessment does not include a determination as to whether child maltreatment occurred but does determine the need for services to address the safety of family members and the risk of subsequent maltreatment.
- (b) "Investigation" means fact gathering related to the current safety of a child and the risk of subsequent maltreatment that determines whether child maltreatment occurred and whether child protective services are needed. An investigation must be used when reports involve substantial child endangerment, and for reports of maltreatment in facilities required to be licensed under chapter 245A or 245B; under sections 144.50 to 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and 13, and 124D.10; or in a nonlicensed personal care provider association as defined in sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.
- (c) "Substantial child endangerment" means a person responsible for a child's care, and in the case of sexual abuse includes a person who has a significant relationship to the child as defined in section 609.341, or a person in a position of authority as defined in section 609.341, who by act or omission commits or attempts to commit an act against a child under their care that constitutes any of the following:
  - (1) egregious harm as defined in section 260C.007, subdivision 14;
  - (2) sexual abuse as defined in paragraph (d);
  - (3) abandonment under section 260C.301, subdivision 2;
  - (4) neglect as defined in paragraph (f), clause (2), that substantially endangers the child's physical or mental health, including a growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  - (5) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;
  - (6) manslaughter in the first or second degree under section 609.20 or 609.205;
  - (7) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
  - (8) solicitation, inducement, and promotion of prostitution under section 609.322;

(9) criminal sexual conduct under sections 609.342 to 609.345;

(10) solicitation of children to engage in sexual conduct under section 609.352;

(11) malicious punishment or neglect or endangerment of a child under section 609.377 or 609.378;

(12) use of a minor in sexual performance under section 617.246; or

(13) parental behavior, status, or condition which mandates that the county attorney file a termination of parental rights petition under section 260C.301, subdivision 3, paragraph (a).

(d) "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child, as defined in section 609.341, or by a person in a position of authority, as defined in section 609.341, subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual abuse also includes any act which involves a minor which constitutes a violation of prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration as an offender under section 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section 243.166, subdivision 1b, paragraph (a) or (b).

(e) "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

(f) "Neglect" means the commission or omission of any of the acts specified under clauses (1) to (9), other than by accidental means:

(1) failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child's physical or mental health when reasonably able to do so;

(2) failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

(3) failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in their care;

(4) failure to ensure that the child is educated as defined in sections 120A.22 and 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

(5) nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of medical care may cause serious danger to the child's health. This section does not impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

(6) prenatal exposure to a controlled substance, as defined in section

253B.02, subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child at birth, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;

(7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

(8) chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or

(9) emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

(g) "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized under section 121A.67 or 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by section 121A.582.

Actions which are not reasonable and moderate include, but are not limited to, any of the following that are done in anger or without regard to the safety of the child:

(1) throwing, kicking, burning, biting, or cutting a child;

(2) striking a child with a closed fist;

(3) shaking a child under age three;

(4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age;

(5) unreasonable interference with a child's breathing;

(6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

(7) striking a child under age one on the face or head;

(8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child; or other substances that substantially affect the child's behavior, motor coordination, or judgment or that results in sickness or internal injury, or subjects the child to medical procedures that would be unnecessary if the child were not exposed to the substances;

(9) unreasonable physical confinement or restraint not permitted under section 609.379, including but not limited to tying, caging, or chaining; or (10) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under section 121A.58.

(h) "Report" means any report received by the local welfare agency, police department, county sheriff, or agency responsible for assessing or investigating maltreatment pursuant to this section.

(i) "Facility" means:

(1) a licensed or unlicensed day care facility, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245B;

(2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and 124D.10; or

(3) a nonlicensed personal care provider organization as defined in sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

(j) "Operator" means an operator or agency as defined in section 245A.02.

(k) "Commissioner" means the commissioner of human services.

(l) "Practice of social services," for the purposes of subdivision 3, includes but is not limited to employee assistance counseling and the provision of guardian ad litem and parenting time expeditor services.

(m) "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

(n) "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care, as defined in paragraph (e), clause (1), who has:

(1) subjected a child to, or failed to protect a child from, an overt act or

condition that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law of another jurisdiction;

(2) been found to be palpably unfit under section 260C.301, paragraph (b), clause (4), or a similar law of another jurisdiction;

(3) committed an act that has resulted in an involuntary termination of parental rights under section 260C.301, or a similar law of another jurisdiction; or

(4) committed an act that has resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law of another jurisdiction.

A child is the subject of a report of threatened injury when the responsible social services agency receives birth match data under paragraph (o) from the Department of Human Services.

(o) Upon receiving data under section 144.225, subdivision 2b, contained in a birth record or recognition of parentage identifying a child who is subject to threatened injury under paragraph (n), the Department of Human Services shall send the data to the responsible social services agency. The data is known as "birth match" data. Unless the responsible social services agency has already begun an investigation or assessment of the report due to the birth of the child or execution of the recognition of parentage and the parent's previous history with child protection, the agency shall accept the birth match data as a report under this section. The agency may use either a family assessment or investigation to determine whether the child is safe. All of the provisions of this section apply. If the child is determined to be safe, the agency shall consult with the county attorney to determine the appropriateness of filing a petition alleging the child is in need of protection or services under section 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is determined not to be safe, the agency and the county attorney shall take appropriate action as required under section 260C.301, subdivision 3.

(p) Persons who conduct assessments or investigations under this section shall take into account accepted child-rearing practices of the culture in which a child participates and accepted teacher discipline practices, which are not injurious to the child's health, welfare, and safety.

(q) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:

(1) is not likely to occur and could not have been prevented by exercise of due care; and

(2) if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence or event.

(r) "Nonmaltreatment mistake" means:

(1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota Rules, part 9503.0045;

(2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years;

(3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years;

(4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and

(5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident.

This definition only applies to child care centers licensed under Minnesota Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated maltreatment by the individual, the commissioner of human services shall determine that a nonmaltreatment mistake was made by the individual.

### **Subd. 3. Persons mandated to report.**

(a) A person who knows or has reason to believe a child is being neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person is:

(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or (2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy

is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c). The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency or agency responsible for assessing or investigating the report, orally and in writing. The local welfare agency, or agency responsible for assessing or investigating the report, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing. The county sheriff and the head of every local welfare agency, agency responsible for assessing or investigating reports, and police department shall each designate a person within their agency, department, or office who is responsible for ensuring that the notification duties of this paragraph and paragraph (b) are carried out. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school, or agency.

(b) Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse. The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency or agency responsible for assessing or investigating the report, orally and in writing. The local welfare agency or agency responsible for assessing or investigating the report, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing.

(c) A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing the facility under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16; or chapter 245B; or a nonlicensed personal care provider organization as defined in sections 256B.04, subdivision 16; and 256B.0625, subdivision 19. A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A board or other entity whose licensees perform work within a school facility, upon receiving a complaint of alleged maltreatment, shall provide information about the circumstances of the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4, applies to data received by the commissioner of education from a licensing entity.

(d) Any person mandated to report shall receive a summary of the disposition of any report made by that reporter, including whether the case has been opened for child protection or other services, or if a referral has been made to a community organization, unless release would be detrimental to the best interests of the child. Any person who is not mandated to report shall, upon request to the local welfare agency, receive a concise summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.

(e) For purposes of this section, "immediately" means as soon as possible but in no event longer than 24 hours.

Subd. 3a. Report of deprivation of parental rights or kidnapping.

A person mandated to report under subdivision 3, who knows or has reason to know of a violation of section 609.25 or 609.26, shall report the information to the local police department or the county sheriff. Receipt by a local welfare agency of a report or notification of a report of a violation of section 609.25 or 609.26 shall not be construed to invoke the duties of subdivision 10, 10a, or 10b.

Subd. 3b. Agency responsible for assessing or investigating reports of maltreatment.

The Department of Education is the agency responsible for assessing or investigating allegations of child maltreatment in schools as defined in sections 120A.05, subdivisions 9, 11, and 13; and 124D.10.

Subd. 3c. Local welfare agency, Department of Human Services or Department of Health responsible for assessing or investigating reports of maltreatment.

(a) The county local welfare agency is the agency responsible for assessing or investigating allegations of maltreatment in child foster care, family child care, legally unlicensed child care, juvenile correctional facilities licensed under section 241.021 located in the local welfare agency's county, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for assessing or investigating allegations of maltreatment in facilities licensed under chapters 245A and 245B, except for child foster care and family child care.

(c) The Department of Health is the agency responsible for assessing or investigating allegations of child maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.46.

(d) The commissioners of human services, public safety, and education must jointly submit a written report by January 15, 2007, to the education policy and finance committees of the legislature recommending the most efficient and effective allocation of agency responsibility for assessing or investigating reports of maltreatment and must specifically address allegations of maltreatment that currently are not the responsibility of a designated agency.

Subd. 3d. Authority to interview.

The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan.

Subd. 3e. Agency responsible for assessing or investigating reports of sexual abuse.

The local welfare agency is the agency responsible for investigating allegations of sexual abuse if the alleged offender is the parent, guardian, sibling, or an individual functioning within the family unit as a person responsible for the child's care, or a person with a significant relationship to the child if that person resides in the child's household.

Subd. 3f. Law enforcement agency responsible for investigating maltreatment.

The local law enforcement agency has responsibility for investigating any report of child maltreatment if a violation of a criminal statute is alleged. Law enforcement and the responsible agency must coordinate their investigations or assessments as required under subdivision 10.

**Subd. 4. Immunity from liability.**

(a) The following persons are immune from any civil or criminal liability that otherwise might result from their actions, if they are acting in good faith:

(1) any person making a voluntary or mandated report under subdivision 3 or under section 626.5561 or assisting in an assessment under this section or under section 626.5561;

(2) any person with responsibility for performing duties under this section or supervisor employed by a local welfare agency, the commissioner of an agency responsible for operating or supervising a licensed or unlicensed day care facility, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16; or 245B, or a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and 124D.10; or a nonlicensed personal care provider organization as defined in sections 256B.04, subdivision 16; and 256B.0625, subdivision 19a, complying with subdivision 10d; and

(3) any public or private school, facility as defined in subdivision 2, or the employee of any public or private school or facility who permits access by a local welfare agency, the Department of Education, or a local law enforcement agency and assists in an investigation or assessment pursuant to subdivision 10 or under section 626.5561.

(b) A person who is a supervisor or person with responsibility for performing duties under this section employed by a local welfare agency, the commissioner of human services, or the commissioner of education complying with subdivisions 10 and 11 or section 626.5561 or any related rule or provision of law is immune from any civil or criminal liability that might otherwise result from the person's actions, if the person is (1) acting in good faith and exercising due care, or (2) acting in good faith and following the information collection procedures established under subdivision 10, paragraphs (h), (i), and (j).

(c) This subdivision does not provide immunity to any person for failure to make a required report or for committing neglect, physical abuse, or sexual abuse of a child.

(d) If a person who makes a voluntary or mandatory report under subdivision 3 prevails in a civil action from which the person has been granted immunity under this subdivision, the court may award the person attorney fees and costs.

Subd. 4a. Retaliation prohibited.

(a) An employer of any person required to make reports under subdivision 3 shall not retaliate against the person for reporting in good faith abuse or neglect pursuant to this section, or against a child with respect to whom a report is made, because of the report.

(b) The employer of any person required to report under subdivision 3 who retaliates against the person because of a report of abuse or neglect is liable to that person for actual damages and, in addition, a penalty up to \$10,000.

(c) There shall be a rebuttable presumption that any adverse action within 90 days of a report is retaliatory. For purposes of this paragraph, the term "adverse action" refers to action taken by an employer of a person required to report under subdivision 3 which is involved in a report against the person making the report or the child with respect to whom the report was made because of the report, and includes, but is not limited to:

- (1) discharge, suspension, termination, or transfer from the facility, institution, school, or agency;
- (2) discharge from or termination of employment;
- (3) demotion or reduction in remuneration for services; or
- (4) restriction or prohibition of access to the facility, institution, school, agency, or persons affiliated with it.

**Subd. 5. Malicious and reckless reports.**

Any person who knowingly or recklessly makes a false report under the provisions of this section shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees.

**Subd. 6. Failure to report.**

(a) A person mandated by this section to report who knows or has reason to believe that a child is neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, and fails to report is guilty of a misdemeanor.

(b) A person mandated by this section to report who knows or has reason to believe that two or more children not related to the perpetrator have been physically or sexually abused, as defined in subdivision 2, by the same perpetrator within the preceding ten years, and fails to report is guilty of a gross misdemeanor.

(c) A parent, guardian, or caretaker who knows or reasonably should know that the child's health is in serious danger and who fails to report as required by subdivision 2, paragraph (c), is guilty of a gross misdemeanor if the child suffers substantial or great bodily harm because of the lack of medical care. If the child dies because of the lack of medical care, the person is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both. The provision in section 609.378, subdivision 1, paragraph (a), clause (1), providing that a parent, guardian, or caretaker may, in good faith, select and depend on spiritual means or prayer for treatment or care of a child, does not exempt a parent, guardian, or caretaker from the duty to report under this subdivision.

**Subd. 6a. Failure to notify.**

If a local welfare agency receives a report under subdivision 3, paragraph (a) or (b) and fails to notify the local police department or county sheriff as required by subdivision 3, paragraph (a) or (b), the person within the agency who is responsible for ensuring that notification is made shall be subject to disciplinary action in keeping with the agency's existing policy or collective bargaining agreement on discipline of employees. If a local police department or a county sheriff receives a report under subdivision 3, paragraph (a) or (b) and fails to notify the local welfare agency as required by subdivision 3, paragraph (a) or (b), the person within the police department or county sheriff's office who is responsible for ensuring that notification is made shall be subject to disciplinary action in keeping with the agency's existing policy or collective bargaining agreement on discipline of employees.

**Subd. 7. Report.**

(a) An oral report shall be made immediately by telephone or otherwise. An oral report made by a person required under subdivision 3 to report shall be followed within 72 hours, exclusive of weekends and holidays, by a report in writing to the appropriate police department, the county sheriff, the agency responsible for assessing or investigating the report, or the local welfare agency, unless the appropriate agency has informed the reporter that the oral information does not constitute a report under subdivision 10. The local welfare agency shall determine if the report is accepted for an assessment or investigation as soon as possible but in no event longer than 24 hours after the report is received. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter. If requested, the local welfare agency or the agency responsible for assessing or investigating the report shall inform the reporter within ten days after the report is made, either orally or in writing, whether the report was accepted for assessment or investigation. Written reports received by a police department or the county sheriff shall be forwarded immediately to the local welfare agency or the agency responsible for assessing or investigating the report. The police department or the county sheriff may keep copies of reports received by them. Copies of written reports received by a local welfare department or the agency responsible for assessing or investigating the report shall be forwarded immediately to the local police department or the county sheriff.

(b) Notwithstanding paragraph (a), the commissioner of education must inform the parent, guardian, or legal custodian of the child who is the subject of a report of alleged maltreatment in a school facility within ten days of receiving the report, either orally or in writing, whether the commissioner is assessing or investigating the report of alleged maltreatment.

(c) A written copy of a report maintained by personnel of agencies, other than welfare or law enforcement agencies, which are subject to chapter 13 shall be confidential. An individual subject of the report may obtain access to the original report as provided by subdivision 11.

**Subd. 8. Evidence not privileged.**

No evidence relating to the neglect or abuse of a child or to any prior incidents of neglect or abuse involving any of the same persons accused of neglect or abuse shall be excluded in any proceeding arising out of the alleged neglect or physical or sexual abuse on the grounds of privilege set forth in section 595.02, subdivision 1, paragraph (a), (d), or (g).

**Subd. 9. Mandatory reporting to medical examiner or coroner.**

When a person required to report under the provisions of subdivision 3 knows or has reason to believe a child has died as a result of neglect or physical or sexual abuse, the person shall report that information to the appropriate medical examiner or coroner instead of the local welfare agency, police department, or county sheriff. Medical examiners or coroners shall notify the local welfare agency or police department or county sheriff in instances in which they believe that the child has died as a result of neglect or physical or sexual abuse. The medical examiner or coroner shall complete an investigation as soon as feasible and report the findings to the police department or county sheriff and the local welfare agency. If the child was receiving services or treatment for mental illness, developmentally disabled, chemical dependency, or emotional disturbance from an agency, facility, or program as defined in section 245.91, the medical examiner or coroner shall also notify and report findings to the ombudsman established under sections 245.91 to 245.97.

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