



MASSACHUSETTS
**Department of
Early Education and Care**

Licensing Policies and Procedures for Family Child Care Programs

Dear EEC Colleagues,

Throughout the State of Emergency, EEC supported the field through amended policies and temporary regulations that would enable increased health and safety measures while alleviating constraints that might limit programs' ability to sustain high quality services for children and families. This period yielded critical lessons that have informed future approaches to policymaking, with an eye toward decreased administrative burden and increased potential to meet licensed capacity and ensure high quality services among programs.

The following Licensing Policies and Procedures for Family Child Care Programs have been streamlined in accordance with the 'future state' of EEC's evolving regulatory approach and are intended to enable prospective and currently licensed programs to be integrative and responsive to community needs. It is our hope that this is one of many steps we will take together towards creating an early education and care system that better meets the needs of children, families, educators, and programs. Please note that this policy document supersedes all other relevant EEC policies.

On behalf of all of us at EEC, I thank you for your continued dedication to the children and families of the Commonwealth and to the field of early education and care.

Samantha Aigner-Treworgy

Commissioner

Table of Contents

PROCESS FOR FAMILY CHILD CARE UPGRADE	3
PROCESS FOR FAMILY CHILD CARE RENEWAL	4
PROCESS FOR APPROVAL OF PROSPECTIVE FAMILY CHILD CARE ASSISTANTS	5
PROCESS FOR PROSPECTIVE CHILD CARE PROVIDERS SEEKING NEW LICENSURE	7
Potential Provider Training	9
Inactive Status for Family Child Care	10

PROCESS FOR FAMILY CHILD CARE UPGRADE

EEC is making the following changes to [Orientation to Early Education and Care Policy](#) until further notice. All other requirements in the policy remain in place.

- EEC will not require applicants for a license to serve 7 – 10 children in family child care or for certification as an assistant to serve 7 – 10 children to complete the on-line training “Maintaining Quality While Expanding Your Capacity” training before receiving a capacity increase.

You will need:

- Evidence of current pediatric CPR and First Aid certification, as appropriate to the ages served.
- Current Professional Qualifications Registry (PQR), reflecting the required experience as applicable to the requested upgrade.
- Consent for Background Record Check (BRC) for any new household members ages 15 years or older or new persons regularly on the premises

Step-by-Step Process:



PROCESS FOR FAMILY CHILD CARE RENEWAL

EEC is making the following changes to [Orientation to Early Education and Care Policy](#) until further notice. All other requirements in the policy remain in place.

- EEC will not require providers to complete Module II of the Family Child Care Orientation as part of the renewal process.
- EEC will not require applicants for a license to serve 7 – 10 children in family child care or for certification as an assistant to serve 7 – 10 children to complete the on-line training “Maintaining Quality While Expanding Your Capacity” training before receiving a capacity increase.

You will need:

- Completed EEC medical form*
- Evidence of current certification in both basic First Aid and pediatric CPR for infants and children*
- Current Professional Qualifications Registry (PQR)*, reflecting completion of all pre-service and annual training requirements
- Copy of any updates made to the program’s Parent Handbook since the last licensing visit
- Copy of completed Children’s Records Checklist
- Consent for Background Record Check (BRC)* for the licensee, and all household members ages 15 years or older or persons regularly on the premises
- Tax Certification form (as part of LEAD transaction)
- Renewal Visit conducted and responses to any corrections requested have been received and approved by EEC.

*Required for assistant renewal, if applicable

Step-by-Step Process:



PROCESS FOR APPROVAL OF PROSPECTIVE FAMILY CHILD CARE ASSISTANTS

EEC is making the following changes to [Orientation to Early Education and Care Policy](#) until further notice. All other requirements in the policy remain in place.

- EEC will not require regular assistants in family child care to complete the on-line training entitled “An Introduction to Early Education and Care in Massachusetts”, prior to approval as a regular family child care assistant
- EEC will not require family child care licensees and certified assistants to complete Module Two of the Family Child Care Orientation
- EEC will not require applicants for a license to serve 7 – 10 children in family child care or for certification as an assistant to serve 7 – 10 children to complete the on-line training “Maintaining Quality While Expanding Your Capacity” before receiving a capacity increase.

- 1 Applicant completes the required pre-service orientation and trainings, as appropriate to the assistant type.**
- 2 Applicant completes an FCC Assistant New Certificate transaction¹ through the EEC LEAD Provider Portal, including submission of tax certification form and BRC Consent Form.**
- 3 EEC conducts final review and approves the application, including confirmation of BRC suitability.**
- 4 FCC Assistant receives certificate (Certified Assistant) or Letter of Approval (Regular Assistant).**

Regular FCC Assistant Requirements:

- Must be at least 18 years old
- Proof of completion of EEC Essentials training (12 modules) available via EEC’s Learning Management System at <https://strongstart.eoe.mass.gov/>
- Evidence of current certification in both basic First Aid and pediatric CPR for infants and children, if applicable.
- Up-to-date Professional Qualifications (PQ) Registry
- Completed EEC medical form
- Consent for Background Record Check (BRC) electronic form filled out and signed

Certified FCC Assistant Requirements - All requirements listed above for Regular Assistant, PLUS:

- Evidence of completion of the FCC Potential Provider Training (Part one only)

¹ Prospective FCC Assistants must contact their EEC regional office to request access to the LEAD portal following completion of all pre-service requirements.

- Up-to-date Professional Qualifications (PQ) Registry, including evidence of experience caring for children, in accordance with Department policy.

In order to offer reciprocity and simplify the process for currently certified educators with certain qualification that are interested in working as Family Child Care Certified Assistants, EEC established the following working procedure outlining the steps required for both GSA and FCC educators to become FCC Certified Assistants in both FCC and LFCC settings.

Existing Family Child Care Educators seeking to work as a Certified Assistant shall be considered to meet the qualifications as a Certified Assistant and must complete the following steps to become an FCC Certified Assistant.

FCC Educators seeking to work as an FCC Certified Assistant *permanently* must:

- Complete the FCC Certified Assistant application process through the LEAD portal.
- Complete a new Background Record Check (BRC).
- Upload certificates of completion for EEC Essentials
- Close FCC program through LEAD via the Close Prior to Expiration transaction.
- Return the FCC license to EEC.

FCC Educators seeking to work as an FCC Certified Assistant *temporarily* must:

- Complete the FCC Inactivate transaction through the LEAD portal.
- Return the original FCC license to EEC and receive temporary amended license (*Duration of the temporarily amended license may not exceed FCC license expiration date*).

Individuals holding an EEC Teacher Certification (Infant/Toddler, Preschool, Lead Teacher, or Director) shall be considered to meet the qualifications as a Certified Assistant and must complete the following to become an FCC Certified Assistant:

- Complete the FCC Certified Assistant application process through the LEAD portal.
- Complete a new Background Record Check (BRC).
- Upload evidence of completion (certificates or date of completion) for the Family Child Care Potential Provider Training and all 12 modules in the EEC Essentials trainings
- Upload the current EEC Teacher Certification as Additional Attachment to the transaction.

PROCESS FOR PROSPECTIVE CHILD CARE PROVIDERS SEEKING NEW LICENSURE

Complete Pre-Service Orientation and Training

1

- A. Create an account in the Professional Qualifications Registry (PQR) at <https://www.eec.state.ma.us/PQRegistry/>
- B. Complete the **Potential Provider Training** courses through the StrongStart Professional Development System, specific to their program type.
- C. Complete the EEC Essentials courses through the StrongStart Professional Development System.
- D. Potential Provider completes pediatric CPR and First Aid training and certification.

Submit a New License Transaction

2

- A. Review the EEC Licensing Regulations and the Interim New Licensure Requirements (listed below) for the correct program type. Prepare and collect all required documents.
- B. Contact the regional office to request access to the Licensing Education Analytic Database (LEAD) portal. An email will be sent out to the provider with instructions once the request is processed.
- C. Submit a New License transaction in LEAD, including all applicable required documents. Upon submission of the New License transaction, the Potential Provider will receive emails² requesting the submission of Background Record Check (BRC) Consent Form and Tax Certification. Complete and submit both required forms to complete the provider part of the transaction.

Pre-Licensing Visit

3

- A. Your EEC Licensor will contact you to schedule an in-person pre-licensing visit to inspect the program space.
- B. Licensors will answer any questions the applicant may have, and technical assistance will be provided for any observed areas where the program is facing barriers to successfully meeting the Licensing Regulations.
- C. Receive a visit report and respond to any corrections requested. EEC may require additional verification of corrections before moving forward with final review and approval of the New License transaction.

Receive New License

4

- A. EEC will issue the new license, including any conditions as applicable.

² There will be a separate e-mail for each individual over the age of 15 years who is required to complete the BRC Process. Each BRC Form must be completed for the individual it was e-mailed to.

You will need:

- Application through the LEAD portal
- Up-to-date [Professional Qualifications Registry \(PQR\)](#) account
- Evidence of completion (certificate) of an EEC Family Child Care Potential Provider Training through the [StrongStart Professional Development System](#)
- Evidence of completion (certificate) of EEC Essentials training (12 modules) through the [StrongStart Professional Development System](#)
- Medical statement indicating you have had a physical exam within the past year and are in good physical and mental health. The statement should note whether or not there are any limitations on your ability to care for children and include evidence that you have been immunized in accordance with the recommendations of the Department of Public Health ([Medical Letter](#)). If there are any conditions or impacts on the provider's ability to care for children (or if the mental or physical health of any household member may affect their ability to care for children) that must be reflected in the submitted medical statement.
- Evidence of current certification in both basic First Aid and pediatric CPR for infants and children.
- Tax Certification form (sent via email following the submission of transaction with further instructions about this item)
- Consent for Background Record Check (BRC) electronic form filled out and signed by each household member (regardless of whether they are home during child care hours) and person(s) regularly on the premises, 15 years of age and over, including yourself (sent via email³ following the submission of transaction with further instructions about this item.)
- If the Family Child Care home's water is from a private well and not a town water supply, evidence of a well water test from a Massachusetts Dept. of Environmental Protection approved lab or documentation from the local board of health or health department, indicating that the home's water meets Drinking Water Standards must be submitted.
- Parent Handbook and other required documents to be reviewed during the pre-licensing visit⁴
- In-person Pre-Licensing Visit (including response to corrections, as applicable)

³ If the same e-mail address is used for multiple individuals, it is critical that the BRC form be completed for the individual each e-mail is addressed to.

⁴ Sample forms are available on the EEC website at <https://www.mass.gov/lists/licensing-forms-for-family-child-care-providers>

Potential Provider Training

The Potential Provider Training (PPT) is a 2-hour training consisting of two online courses packaged together for individuals interested in learning about what is involved in becoming a licensed child-care provider in Massachusetts. Both courses must be completed sequentially (and within 90 days of each other) before continuing in the licensing process. Through this training, EEC will introduce participants to the licensing rules, business considerations, and professional qualifications needed to apply for and operate a licensed child-care business.

*Please note that Certified Assistants are **only required to complete the first** of the two parts of the PPT.*

How to Access the Potential Provider Training

Step 1: Create an account in the Professional Qualifications Registry (PQR) at <https://www.eec.state.ma.us/PQRegistry/>. Please write down your PQR number, as you will need it for Step 5.

Step 2: Go to the StrongStart Professional Development System (SSPDS) Home Page <https://strongstart.eoe.mass.gov/ets/home>.

Step 3: Click on Course Catalog (located on the left of the screen).

Step 4: Find the virtual two-part Potential Provider Training that is appropriate to the type of care you intend to provide (Family Childcare or Group and School Age Childcare) and click the link. To find the trainings, you can use the Search button or the “All Categories” dropdown and select “Potential Provider Training”. This will also allow you to select the training in your preferred language.

Step 5: The system will ask you to either sign-in or create a new account (if participants have not been in the SSPDS before). During the process of creating a new account, the SSPDS will ask for your Professional Qualifications Registry (PQR) number.

Step 6: Complete the Potential Provider Training. At the end, save and/or print out your certificate. Participants moving forward in the licensure process will need to have evidence of completion of PPT and the date of completion of training to submit the application for your license or certificate.⁵ All certificates of completion can be found in “My Transcripts” on the Dashboard tab.

Step 7: Reach out to your [EEC regional office](#) to request access to the Licensing Education Analytic Database (LEAD). Then submit a New License Application transaction.

⁵ There is a link on the homepage on how to view and print certificates.

Inactive Status for Family Child Care

Inactive Status allows a Family Child Care (FCC) Provider to remain licensed but discontinue the provision of child care services. A Provider may choose to go inactive or EEC may request that the Provider go inactive pending the outcome of an investigation. While an FCC Provider is Inactive, they will not appear on the EEC Child Care Search website. When the license gets reactivated, the FCC Provider will then be listed on the EEC Child Care Search website.

Programs that are in Inactive Status are ceasing the operation of the child care program and are not permitted to care for day care children during such time as their regulatory status remains Inactive. If a program is found to be providing child care while in Inactive Status, the care shall be deemed unlicensed and the Inactive Status shall be immediately revoked. Any associated violations shall become part of the program's permanent record and the program shall be subject to further enforcement actions.

The status of Inactive shall not change the dates of the license renewal or any other regulatory obligations, including but not limited to those related to renewal, fees, or annual professional development.

Please note that programs in Inactive Status are not able to apply for or recertify their stabilization grant while they are in Inactive Status, as only programs that are open to serve children are eligible for stabilization grants.

To support the provider community in understanding the different types of Inactive Status and their associated processes, EEC sets forth this policy for FCC Providers seeking to close their child care program for a limited period, either (a) voluntarily, or (b) because there is a pending investigation of their program.

A. VOLUNTARY INACTIVE STATUS

Programs may request an Inactive Status for a duration not to exceed six 6 months in any 12-month period. EEC may approve an extension to an Inactive Status beyond six months, on a case-by-case basis and with Regional Director approval due to extenuating circumstances. EEC reserves the right to deny requests for Inactive Status. A licensee may not request Inactive Status during their first 6 months of licensure, unless for an emergency. Any approvals beyond 12 months must be approved by the Deputy Commissioner for Child Care Operations.

A Family Child Care provider may temporarily close their child care operations and move their license into Inactive Status for a variety of reasons, including, but not limited to:

- Health issue
- Long vacation
- Move
- Financial problems
- Pregnancy
- Renovations
- Education and/or job pursuits
- Other personal or professional issues

Procedure to Request Voluntary Inactive Status

1. The provider notifies the licensor by submitting an "Inactive License / Certificate" transaction in LEAD.
2. The Licensor will close the transaction, change the EEC program's regulatory status to Inactive, and change the program's referral status to "No."

Required Notifications Regarding Voluntary Inactive Status

Notification to the Department: When a Family Child Care provider plans to go into voluntary Inactive Status, the provider must notify the Department by emailing their licensor at least two (2) weeks prior to the anticipated closure, when possible.

Notification to Families: The FCC Provider must inform parents of all children enrolled in writing at least two (2) weeks prior to the anticipated closure, when possible. Such notification must include the anticipated duration of the temporary closure, if known, and instructions for who to contact from the Department regarding their children's placement, if applicable. If requested, the parent can terminate care at one Child Care Educator/Provider and transfer his/her child to another program. If the parent receives child care subsidy, the parent must give the existing Child Care Educator/Provider at least two weeks' notice of the change and must have a plan to pay all outstanding Parent Fees (in accordance with Subsidy Policy Guide Chapter 11.6).

Notification to Subsidy Administrator: If the provider serves children receiving subsidy, notification to the Child Care Resource and Referral Agency (CCR) or Family Child Care System must be made at least two (2) weeks prior to the anticipated date of going Inactive. There will be no referrals made from the Child Care Resource and Referral Agencies while the regulatory status of the program's license is Inactive.

Reopening Following Voluntary Inactive Status

When an FCC Provider is ready to reopen after a temporary closure, the licensee must notify the Department by submitting a "Reactivate License / Certificate transaction" in LEAD at least three (3) weeks in advance of the anticipated opening date. Within 15 business days of notification, the program's licensor will conduct a health and safety visit to the Family Child Care home. If the provider has moved during the time they were in Inactive Status, the provider shall submit a Change of Address transaction in LEAD and this visit may apply to both transactions.

Upon determination that the Family Child Care home is following all regulations and requirements, the licensor shall re-activate the license and inform the provider that the license is active in writing. If the program's license has expired during the period of inactivity, renewal must have been initiated prior to approval to resume active operations.

B. INACTIVE STATUS PENDING AN INVESTIGATION

When a serious allegation, incident, injury, or serious criminal charge involving an EEC licensed FCC Provider requires an investigation¹ by EEC and/or other state agencies, EEC may request that the FCC Provider put the license into Inactive Status, pending the outcome of any associated investigation(s). EEC will contact the FCC Provider to discuss the seriousness of the allegations and inform that FCC Provider that EEC is required to investigate the allegations. EEC will then request the FCC Provider to place the program into Inactive Status, pending the outcome of the investigation. If the FCC Provider does not agree to voluntarily place the program into Inactive Status pending the outcome of EEC's investigation, EEC will then issue an emergency suspension.

Procedure To Move Into Inactive Status Pending An Investigation

1. The Licensor will initiate the "Inactive License / Certificate" transaction in LEAD.
2. The FCC Provider will complete and submit the transaction by clicking the check box to sign the Voluntary Inactive Status Agreement. On the next page, click the check box to agree to the Terms and Conditions, and then click the "Submit" button.

3. The Licensor will close the transaction, change the EEC program’s regulatory status to Inactive, and change the program’s referral status to “No.”

Subsidy Payments During Inactive Status Pending An Investigation

In accordance with the “Payment of Substitute Child Care” section in Appendix C of the [EEC Financial Assistance Policy Guide](#), effective January 2021, EEC will provide payment for an FCC Educator who has elected to place their license in Inactive Status during an investigation, so long as the FCC Educator receives approval for payment from the EEC Regional Director. Such approval for payment shall be issued via email by the Regional Director.

Please Note: Regional Directors will not approve continued subsidy payments for inactive closures due to criminal charges or a serious child injury or fatality.

EEC will notify the FCC System and/or CCRR that a serious complaint was received involving the affiliated FCC Program, and the program has been placed in voluntary Inactive Status pending the outcome of an investigation. EEC will inform the FCC System and or/CCRR about whether reimbursement for subsidized child care can continue during investigation activities. Please note that EEC will not disclose the nature of the complaint in order to maintain confidentiality.

Child Care Providers belonging to a System must provide a copy of the EEC Regional Office approval email to their System for payment for subsidized care during investigation related Inactive Status closures.

Voucher Only Child Care Providers must maintain a copy of the EEC Regional Office approval email and provide to their CCRR upon request for payment for subsidized care during investigation related Inactive Status closures.

Note for family child care systems personnel: EEC strongly recommends that FCC Providers not be terminated by their system based on a pending investigation. Family Child Care System administrators with questions about this policy should be directed to contact the respective Regional Director.

Reopening Following Inactive Status Pending Investigation

Once an investigation has been completed, any regulatory non-compliances have been issued, and any corrective action plans have been accepted by EEC, EEC will contact to the FCC Provider to approve activation of the license and ability to care for children. When the FCC Provider has received written approval from EEC to resume care following an Inactive Status pending investigation, they must submit a “Reactivate License / Certificate transaction” in LEAD. EEC will then re-activate the license and inform the FCC Provider and the FCC System and/or CCRR that the license is active. If the provider has moved during the time they were in Inactive Status, the provider shall submit a Change of Address transaction in LEAD. If the program’s license has expired during the period of inactivity, renewal must have been initiated prior to approval to resume active operations.