



Eric Holcomb, Governor
State of Indiana

Office of Early Childhood and Out-of-School Learning
402 W. WASHINGTON STREET, ROOM W362, MS02
INDIANAPOLIS, IN 46204

6/28/2023

Dear Indiana Child Care Home Providers:

Thank you for your dedication to serving Hoosier children and their families. You play a critical role in the success of the children you care for and the families you serve, and your efforts are appreciated.

The Office of Early Childhood and Out of School Learning (OECOSL) would like to provide clarification on the grandfather clause laid out in IC 12-17.2-5-6.3 that will go into effect starting July 1, 2023.

According to the statutes below, the licensee of a child care home that was licensed before July 1, 2001 does not have to provide documentation that they received a high school diploma or a high school equivalency certificate. They do not have to provide documentation to the division that they completed, are enrolled in, or agree to complete within the next three (3) years a child development associate credential program, and they do not have to complete the training course taught or approved by the division concerning safe sleep practices. *Please note that although the licensee is not required to complete the safe sleep training in this situation, they are still required to follow safe sleep practices and will be held accountable for them.

IC 12-17.2-5-6.3 Class I child care home

(a) To qualify for a license to operate a class I child care home under this chapter, a person must do the following:

(2) Provide documentation to the division that the licensee:

(A) has completed

(B) is enrolled in; or

(C) agrees to complete within the next three (3) years;

a child development associate credential program or a similar program approved by the division.

(3) Complete the training course taught or approved by the division concerning safe sleeping practices for a child within the person's care as described in IC 12-17.2-2-1(10).

The division may grant a waiver or variance of the requirement under subdivision (2).

This clause is meant to allow a person or entity to continue with activities or operations that were approved before the implementation of new rules, regulations, or laws. Therefore, if a licensee of a child care home that was licensed before July 1, 2001 closes their child care home and wants to re-open at a later date or wants to open a new child care home they must provide documentation of a high school diploma or equivalent, provide documentation related to a child development associate credential program, and must complete the safe sleep training course as required in IC 12-17.2-5-6.3.

If the licensee of a child care home that was licensed before July 1, 2001 must close that child care home due to circumstances outside of their control and wishes to re-open at a later date or in another location, the licensee can request and OECOSL may grant a waiver of the requirements in IC 12-17.2-5-6.3 based on the grandfather clause that would have applied to them if it had not been for the circumstances outside of their control.

If you have questions, please contact your licensing consultant. You can find their information here:
<https://www.in.gov/fssa/carefinder/become-a-child-care-provider/facilities-consultants/>

Sincerely,

Tikila Welch,

Licensing Director
Office of Early Childhood and Out of School
Learning

