



April 30, 2025

Dear Child Care Provider,

Following the close of the 2025 Montana Legislative Session, important updates to child care licensing rules are now in effect (Administrative Rules of Montana 37.96). These revised rules, part of Governor Gianforte's Red Tape Relief Initiative, consolidate and reorganize existing regulations while incorporating recent legislative changes and new federal Child Care and Development Fund requirements. Their development benefited significantly from stakeholder input gathered through surveys (627 responses), focus groups (126 participants in 14 groups), and interviews (27 individuals).

This notification highlights these key changes. The complete updated rules are available on the Montana Secretary of State website: sosmt.gov. For any questions regarding the child care rules or policies, please reach out to your licensor, please see contact information below.

Highlights of New Child Care Licensing Rules

- **Organization and clarification** – Child care rules are now organized by topic rather than provider type. These revisions were undertaken to make the child care licensing and registration rules easier to understand for providers and families. The reorganization also allowed for a word count reduction of almost 20%.
- **Staff age** – New ARM 37.96.907 lowers the age of teachers from 18 years old or to 16 years old. Lead teachers must still be at least 18 years old.
- **Waivers and pilot projects** – New ARM 37.96.122 streamlines the waiver process and provides a path for pilot projects. Proposed waivers and pilot projects must still meet the intent of health and safety rules.
- **Out-of-School-Time license type** – New ARM 37.96.102 allows for a new type of license for providers who serve school-age children. It has age-appropriate requirements that align with the needs of school-age children.
- **Infant age** – New ARM 37.96.101 defines an infant as a child through 11 months old.
- **Immunization requirements** – Family, group, and registered Family, Friend and Neighbor (FFN) providers may choose whether to enroll children who have a medical or religious exemption to the minimum immunization schedule. They must have a policy to notify families of this choice and submit the policy to the Child Care Licensing Program via their Licensor. School-age children attending public school do not need to



- provide immunization documentation to school-age care providers. As they segregate groups by age, licensed Centers are required to enroll children with medical or religious immunization exemptions.
- **Updating group size and ratios from legislative action** – Updates to the ratios and group sizes for all provider types made during the 2021 and 2023 Legislative sessions have been in effect since their passage. However, those changes are now reflected in the Administrative Rules of Montana.

The Early Childhood and Family and Support Division is dedicated to making the transition to the new rules as smooth as possible for Montana's child care providers and the families you serve. Please do not hesitate to reach out with any questions, comments, or concerns. Montana families and communities rely on your dedication and hard work.

In partnership,

Jody Lehman
Child Care Bureau Chief
Early Childhood and Family Support Division

Resources:

- **State Child Care Licensing forms and information:**
 - Website: www.bestbeginnings.mt.gov
 - Telephone: (406) 444-2012
 - Email: childcarelicensing@mt.gov
- **Provider technical assistance support:**
 - Website: www.sparkmontana.com
 - Telephone: (406) 481-3728

For questions, please contact your Child Care Licensors or Jody Lehman, Child Care Bureau Chief at joseph.lehman@mt.gov.