

February 9, 2026

Mandra Schroeder, Authorized Agent  
Robyn's Nest Daycare Center LLC  
1759 Commerce Dr  
North Mankato, MN 56003

License Number: 1090245 (CCC)  
Program Location: 1759 Commerce Dr, North Mankato, MN 56003

Dear Mandra Schroeder:

The Minnesota Department of Human Services (DHS), Division of Licensing, received your request for reconsideration regarding Citations 1, 2, 3, 5, 6, 7, 10 and 11 in the Correction Order (enclosed) issued to you on May 5, 2025. You did not request review for Citations 4, 8 and 9 and therefore, Citations 4, 8 and 9 are not under the scope of review.

On June 18, 2025, licensing functions for child care centers, family child care programs, and child foster care programs, and maltreatment investigations involving child care centers, have been transferred from Minnesota Department of Human Services, Office of Inspector General (DHS), to the new Minnesota Department of Children, Youth, and Families (DCYF), as directed by state law. While this matter began under DHS, pursuant to Minnesota Statutes, section 15.039, subdivision 2, DCYF is now the responsible agency.

### **Reconsideration Determination**

#### **Citation 1**

**Violation.** Staff distribution requirements were not maintained. There was one aide working with seven children in the preschool classroom without the direct supervision of an assistant teacher or teacher. (Preschool/School Age: Preschool/SA classroom)

#### **Applicable Law.**

"Aide" means a staff person who carries out child care program activities under the supervision of a teacher or assistant teacher. An aide who is under 18 years old must be directly supervised by a teacher or assistant teacher at all times except when the aide is assisting with the supervision of sleeping children or assisting children with washing, toileting, and diapering. Minnesota Rules, part 9503.0034, subpart 1.

The license holder must ensure that the following requirements for staff distribution are met and a written staff distribution record is kept in the administrative record. Except as provided in item B, staff distribution within each age category must follow the pattern in subitems (1) to (4).

- (1) The first staff member needed to meet the required staff-to-child ratio must be a teacher.
- (2) The second staff member must have at least the qualifications of a child care aide.
- (3) The third staff member must have at least the qualifications of an assistant teacher.
- (4) The fourth staff member must have at least the qualifications of a child care aide.

Minnesota Rules, part 9503.0040, subpart 2, item D.

A teacher must meet the education and experience requirements. Minnesota Rules, part 9503.0032, subpart 2.

Your Response. You stated, that SP2 was approved to be the lead in this room according to the MN Rule. You further stated that this should not be a violation as s/he followed through with all the things needed to do by the stated expiration date.

Reconsideration Determination. The licensor observed that SP2 was working with seven children in the preschool classroom without the direct supervision of an assistant teacher or teacher. SP2 was the only staff in the preschool classroom.

SP2 was not qualified as a teacher. You stated that "SP2 was approved to be the lead in the room... s/he followed through with all the things needed to do by the stated expiration date." However, SP2's previous track 2 expired December 31, 2024. SP2 did not have a Track 2 variance to be a teacher.

On the day of the site visit, SP2 qualified as an aide. The first staff member needed to meet the required staff-to-child ratio must be a teacher to be in compliance with staff distribution requirements. You did not meet the staff distribution requirement in the preschool age classroom when SP2, who was qualified as an aide, was the only staff with seven children, therefore Citation 1 is affirmed.

### **Citation 2**

Violation. Staff distribution requirements were not maintained. A teacher or assistant teacher did not directly supervise an aide.

- There were three aides working with 11 children in the infant classroom without the direct supervision of an assistant teacher or teacher. There should have been a minimum of one teacher, one aide and a minimum of an assistant teacher. (Infant Room: Infant classroom)
- There was one teacher and two aides working with 15 children in the toddler classroom, There should have been a minimum of one teacher, one aide and a minimum of an assistant teacher. (Toddler Room: Toddler classroom)

Applicable Law. "Aide" means a staff person who carries out child care program activities under the supervision of a teacher or assistant teacher. An aide who is under 18 years old must be directly supervised by a teacher or assistant teacher at all times except when the aide is assisting with the supervision of sleeping children or assisting children with washing, toileting, and diapering. Minnesota Rules, part 9503.0034, subpart 1.

The license holder must ensure that the following requirements for staff distribution are met and a written staff distribution record is kept in the administrative record. Except as provided in item B, staff distribution within each age category must follow the pattern in subitems (1) to (4).

- (1) The first staff member needed to meet the required staff-to-child ratio must be a teacher.
- (2) The second staff member must have at least the qualifications of a child care aide.
- (3) The third staff member must have at least the qualifications of an assistant teacher.
- (4) The fourth staff member must have at least the qualifications of a child care aide.

Minnesota Rules, part 9503.0040, subpart 2, item D.

A teacher must meet the education and experience requirements. Minnesota Rules, part 9503.0032, subpart 2.

The commissioner may grant variance to rules that do not affect the health or safety of persons in a licensed program if the following conditions are met: (1) the variance must be requested by the license holder on a form and manner prescribed by the commissioner; (2) the request for variance must include the reasons that the applicant or license holder cannot comply with a requirement as stated in the rule and the alternative equivalent measures that the applicant or license holder will follow to comply with the intent of the rule; and (3) the request must state the period of time for which the variance is requested.

The commissioner may grant a permanent variance when conditions under which the variance is requested do not affect the health or safety of persons being served by the licensed program, nor compromise the qualifications of staff to provide services. The permanent variance shall expire as soon as the conditions that warranted the variance are modified in any way. Any applicant or license holder must inform the commissioner of any changes or modifications that have occurred in the conditions that warranted the permanent variance. Failure to advise the commissioner shall result in revocation of the permanent variance and may be cause for other sanctions under sections 245A.06 and 245A.07. Minnesota Statutes, section 245A.04, subdivision 9(a).

Your Response. You stated, "Had I known 6 years ago when this variance expired, that I needed to renew it. Then, from then until now, when I had 6 other licensing visits, someone should have told me so I could have fixed the issue 6 years ago...For 6 years I have not known that was wrong"

Reconsideration Determination. The licenser observed three aides working with 11 children in the infant classroom without the direct supervision of an assistant teacher or teacher. SP4 and SP2 were listed as leads in the infant room but did not have current variances to be qualified as a teacher or assistant teacher. SP4's variance was effective August 7, 2019, and expired December 31, 2019. Regarding SP4, you stated, "Had I known 6 years ago when this variance expired, that I needed to renew it." Information related to SP4's expired variance is available on the Hub.

SP2 did not have a current variance to be qualified as a teacher or assistant teacher. According to the Hub, you requested a track 2 variance for SP2 on June 13, 2024. SP2's variance request was rejected between June 13, 2024, and June 25, 2025. There should have been a minimum of one teacher, one aide and a minimum of an assistant teacher to maintain staff distribution requirements. Citation 2 is affirmed as SP2 and SP4 were unqualified to be a teacher or assistant teacher, and not meeting staff distribution requirements in the infant room.

There was one teacher and two aides working with 15 children in the toddler classroom. Specifically, SP3, SP1 and another staff person were in the toddler classroom. SP1 was not qualified to be a teacher or assistant teacher because SP1 did not have a current variance. The other staff person was listed as an aide on his/her Personnel Information form. There should have been a minimum of one teacher, one aide and a minimum of an assistant teacher to maintain staff distribution requirements. Citation 2 is affirmed as SP1 was unqualified to be a teacher or assistant teacher, and not meeting staff distribution requirements in the toddler room

### **Citation 3**

Violation. A child's hands were not washed with soap and water after a diaper change (Infant Room).

It was witnessed by a licenser that after an infant's diaper was changed, a staff person placed the child down to play without washing the infant's hands. (Infant Room: Infant classroom)

Applicable Law. The license holder must develop written health policies and ensure that a child's hands must be washed with soap and water after a diaper change. Minnesota Rules, part 9503.0140, subpart 13.

Your Response. You stated, "The infant was being removed from a sleep sack and NOT having a diaper changed so they did not need their hands washed."

Reconsideration Determination. The licensor observed that after an infant's diaper change the child's hands were not washed with soap and water. A child's hands must be washed with soap and water after a diaper change. During the exit interview, you acknowledged and did not deny that a staff person did not wash a child's hands with soap and water after a diaper change. Citation 3 is affirmed.

**Citation 5**

Violation. The DHS licensor reviewed personnel records and determined that the license holder did not submit a completed background study for 1 of 1 (SP4) individuals (director, staff persons, substitutes, or unsupervised volunteers) before the individual began working in a position allowing direct contact with children receiving services from the program.

The staff person began working in a position allowing direct contact with children on September 19, 2024. However, the license holder did not submit a background study request for the staff person until November 11, 2024.

Because the background study violation was self-corrected by the license holder before a DHS licensor discovered the violation, and because this is the license holder's first self-corrected violation in the past 365 days, a fine is not being issued. (SP4)

Applicable Law. The commissioner shall conduct a background study for a prospective employee of the license holder who will have direct contact with children served by the program. The background study must include submission of fingerprints for national criminal history record check via NetStudy before having direct contact with children. Minnesota Statutes, section 245C.04, subdivision 1, paragraphs (b) and (h).

The license holder must ensure that a personnel record for each staff person is maintained at the center and contains documentation indicating that the staff person meets the requirements of the staff person's job position and the education and experience requirements. Minnesota Rules, part 9503.0120, item B.

Your Response. You stated:

SP4 has been an employee at our center continuously since Aug of 2019. When her background was set to expire, we DID try to renew the background but the company in Mankato would not take her paper copy of her license as her hard card had expired and they were months behind at the state level. WE resubmitted the background check a few times and then requested and were APPROVED for an extension. She had not left employment, she had not been JUST hired on Sept 19, 2024 as the citation states. She had the background resubmitted in order to continue to work. I am including emails with DHS and net study. I did everything I could to stay complaint.

Reconsideration Determination. The licensor observed that the license holder did not submit a completed background study for SP4 before SP4 had direct contact with children at the licensed program. SP4 began working in a position allowing direct contact with children on September 19, 2024. However, the license holder did not submit a background study request for the staff person until November 11, 2024.

You state that SP4's background study expired, and both SP4 and you made attempts for SP4 to submit a completed background study, but other factors delayed the submission of SP4's complete background study allowing her to have direct contact with children at the program. Documentation notes your attempts to have staff persons fingerprinted and issues arose. Nonetheless, SP4 must have a completed background study prior to having direct contact with children. The background study must include submission of fingerprints for national criminal history record check via NetStudy before having direct contact with children. There was a two month gap in SP4's background study allowing direct contact with children; therefore Citation 5 is affirmed.

#### **Citation 6**

Violation. The program did not have documentation on site to show that 3 of 4 (SP1, SP2 and SP4) staff persons met the:

- education requirements of the teacher job classification for which the staff person was employed (SP4); and
- experience requirements of the teacher job classification for which the staff person was employed (SP1 and SP2).

Applicable Law. A teacher must meet the education and experience requirements. Minnesota Rules, part 9503.0032, subpart 2.

The license holder must ensure that a personnel record for each staff person is maintained at the center contains the staff person's documentation indicating that the staff person meets the requirements of the staff person's job position and the education and experience requirements. Minnesota Rules, part 9503.0120, item B.

The commissioner may grant variance to rules that do not affect the health or safety of persons in a licensed program if the following conditions are met: (1) the variance must be requested by the license holder on a form and manner prescribed by the commissioner; (2) the request for variance must include the reasons that the applicant or license holder cannot comply with a requirement as stated in the rule and the alternative equivalent measures that the applicant or license holder will follow to comply with the intent of the rule; and (3) the request must state the period of time for which the variance is requested.

The commissioner may grant a permanent variance when conditions under which the variance is requested do not affect the health or safety of persons being served by the licensed program,

nor compromise the qualifications of staff to provide services. The permanent variance shall expire as soon as the conditions that warranted the variance are modified in any way. Any applicant or license holder must inform the commissioner of any changes or modifications that have occurred in the conditions that warranted the permanent variance. Failure to advise the commissioner shall result in revocation of the permanent variance and may be cause for other sanctions under sections 245A.06 and 245A.07 . Minnesota Statutes, section 245A.04, subdivision 9(a).

Your Response. You stated:

Again, I had no modifications done with the variance and was unaware that I needed to renew it for SP4. She has continued education, experience and employment. She IS qualified as a lead.

SP2 has a variance that, according to MN Rule. This is so very confusing!  
WHERE DOES IT SAY THAT WE NEED TO RENEW THE VARIANCE, IF THE REASON FOR THE VARIANCE (HOURS OF TRAINING OR EXPERIENCE) ARE MET?

Reconsideration Determination. The license holder observed that the program did not have documentation on site to show that 3 of 4 (SP1, SP2 and SP4) staff persons met the education and experience requirements of the teacher job classification. SP4 did not meet the education requirements of the teacher job classification. SP4 has a high school diploma or commissioner of education-selected high school equivalency certification. You stated that you were “unaware that I needed to renew it for SP4. She has continued education, experience and employment.” SP4 had a variance that was approved August 7, 2019, and expired December 21, 2019. Information regarding SP4’s expired variance is available on the Hub. Citation 6 is affirmed as SP4 not meeting the education requirements of the teacher job classification.

SP2 did not meet the experience requirements of the teacher job classification. You stated, “SP2 has a variance[.]” SP2 did not have a current variance. According to the Hub, you requested a track 2 variance for SP2 on June 13, 2024. SP2’s variance request was rejected between June 13, 2024, and June 25, 2025. Citation 6 is affirmed as SP2 not meeting the experience requirements of the teacher job classification.

The licensor observed that SP2 was not listed on the Summary of Personnel Information form, and you did not have a Personnel Information form for SP2. You must ensure that a personnel record for each staff person is maintained at the center contains the staff person's documentation indicating that the staff person meets the requirements of the staff person's job position and the education and experience requirements. Citation 6 is affirmed as not having a personnel record for SP2.

SP1 did not meet the experience requirements of the teacher job classification. SP1 had a total of 3,105 experience hours according to SP1's Personnel Information Form. SP1 is required to have 4,106 experience hours. Citation 6 is affirmed as SP1 not meeting the experience requirements of the teacher job classification.

#### **Citation 7**

**Violation.** The program did not comply with cardiopulmonary resuscitation (CPR) training requirements. Documentation was not available on site to show that 1 of 4 (SP2) individuals (director, staff persons, substitutes, or unsupervised volunteers) had satisfactorily completed the required pediatric CPR training including the treatment of obstructed airways and a hands-on skill assessment within the previous two years (SP2).

**Applicable Law.** The director, staff persons, substitutes, and unsupervised volunteers must satisfactorily complete pediatric cardiopulmonary resuscitation (CPR) including the treatment of obstructed airways and a hands-on skill assessment training that meets the statutory requirements within the previous two years. Minnesota Statutes, section 245A.40, subdivision 4.

The license holder must ensure that a personnel record for each staff person is maintained at the center. The personnel record for each staff person must contain: documentation, when applicable, that the staff person has completed the first aid and CPR training required in part 9503.0035 , subparts 2 and 3. Minnesota Rules, part 9503.0120, subpart D.

The commissioner must be given access without prior notice and as often as the commissioner considers necessary if the commissioner is investigating alleged maltreatment, **conducting a licensing inspection**, or investigating an alleged violation of applicable laws or rules. Minnesota Statutes, section 245A.04, subdivision 5 (a) (emphasis added).

**Your Response.** You stated: "SP2 had proof in her file for CPR and First Aide, I am not sure how it was missed, but I was able to find it by going back through her file."

**Reconsideration Determination.** The license holder observed that you did not have documentation to show that SP2 had satisfactorily completed the required pediatric CPR training including the treatment of obstructed airways and a hands-on skill assessment within the previous two years (SP2).

You stated that "SP2 had proof in her file for CPR and First Aide, I am not sure how it was missed, but I was able to find it by going back through her file." However, on the day of the site visit, neither SP2 nor you were able to obtain documentation that SP2 had completed the required pediatric CPR training including the treatment of obstructed airways and a hands-on

skill assessment within the previous two years.

You are required to maintain a personnel record at the center that contains documentation that the staff person completed the required CPR training. Citation 7 is affirmed because you were unable to confirm that that SP2 had completed the required CPR training at the time of the site visit.

**Citation 10**

Violation. The license holder did not provide a physical or electronic copy of the emergency plan to the child's parent upon enrollment.

Applicable Law. The license holder must provide a physical or electronic copy of the emergency plan to the child's parent or legal guardian upon enrollment. Minnesota Statutes, section 245A.41, subdivision 3, paragraph (e).

Your Response. You stated that you do have a physical copy of the emergency plan as it is in the Parent Handbook on pages 15-20 that you give to parents at enrollment and again any time the parent requests another copy.

Reconsideration Determination. During the exit interview, the licensor asked when the emergency preparedness plan was provided to children's parents and legal guardians, and you were unresponsive.

In your request for reconsideration, you stated that the emergency plan "is in the Parent Handbook we give to parents at enrolment {sic}." However, you did not mention that your Parent Handbook contains the emergency preparedness plan during the exit interview. You also did not mention that you give parents and legal guardians the Parent Handbook upon enrollment. Finally, you did not make your Parent Handbook available to the licensor during the site visit and exit interview. Citation 10 is affirmed.

**Citation 11**

Violation. The relocation site and evacuation route was not posted in a visible place as a part of the written procedures for emergencies and accidents in Minnesota Rules, part 9503.0140, subpart 21.

Applicable Law. The license holder must ensure that the relocation site and evacuation route must be posted in a visible place as part of the written procedures for emergencies and accidents in Minnesota Rules, part 9503.0140, subpart 21. Minnesota Statutes, section 245A.41, subdivision 3, paragraph (f).

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Your Response. You stated that this information is listed on the green emergency evacuation forms hanging near every exit door per Fire Marshall approval and clearance. This information is and has been located in the same place in every room near the fire extinguishers.

Reconsideration Determination. The licensor observed that your posted green emergency form lacked the relocation site and evacuation route. During the exit interview, you acknowledged that your posted green emergency forms lacked the relocation site and evacuation route. You indicated that you never posted the relocation site and evacuation form, and that you didn't think the relocation site and evacuation route should be posted for safety reasons. The relocation site and evacuation route must be posted in a visible place as part of the written procedures for emergencies and accidents. Citation 11 is affirmed.

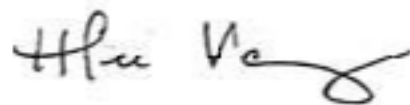
### **Disposition**

The Commissioner has reviewed the relevant laws and all the information you submitted in response to the Correction Order. Citations 1, 2, 3, 5, 6, 7, 10 and 11 are affirmed. You did not request review for Citations 4, 8 and 9 and therefore, Citations 4, 8 and 9 are not under the scope of review. This is a final agency decision.

**Previously Ordered Corrective Action.** In the original Correction Order, you were ordered to correct the violation(s) cited, and submit documentation of such action to your licensor. A request for reconsideration does not stay any provisions or requirements of the correction order. Minnesota Statutes, 142B.16, subdivision 2, paragraph (a). If you have not done so already, please immediately comply with the previously ordered corrective actions for all uncontested and affirmed violations.

The Commissioner appreciates your response and encourages you to continue to work cooperatively with your licensor to ensure the safety and well-being of the children you serve.

Sincerely,



Hlee Vang, Attorney

Legal Counsel's Office  
Office of Inspector General