



**EDUCATIONAL FACILITY –
REQUEST FOR EXEMPTION FROM REGULATION UNDER 40 TAC
§745.119**
CHILD CARE LICENSING (CCL)

Purpose: Licensing uses this form to determine whether your program is exempt from DFPS regulation, based on the criteria established in 40 Texas Administrative Code (TAC) §745.119 for an educational facility.

Instructions: Complete all sections of the form that are relevant to your type of program. If a question does not apply, enter *Not Applicable* in the space provided.

For further clarification, review 40 TAC Chapter 745 (Licensing), Subchapter C, Operations That Are Exempt From Regulation, at http://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/rules.asp.

Directions: If you have questions when completing the form, contact your local Licensing office. Please mail the completed form and any other application-related materials to your nearest Licensing office. Information on local Licensing offices can be found at: http://www.dfps.state.tx.us/Child_Care/Local_Child_Care_Licensing_Offices/default.asp.

SECTION A - IDENTIFYING INFORMATION

Program Name		Program Website	
Address		City	Zip Code
Mailing Address (if different)		City	Zip Code
Name of Owner, Partners, Governing Body, or Sponsoring Organization		Is the governing body nonprofit? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Contact Person	Contact Person's Phone Number	Contact Person's Email Address	
Contact Person's Address (Street Address, City, State, Zip Code)			

SECTION B - PROGRAM INFORMATION

Please answer the following questions about your overall program:

How is your program educational in nature?

Please check options that apply to your program:

- Accredited. Name of accrediting organization:
- Member of an organization that requires compliance with standards. Name of organization:
- Private educational facility

SECTION B - PROGRAM INFORMATION

Is your program currently operating?

- No
 Yes

What ages do you serve?

What grades do you serve?

- Pre-K Kindergarten 1st 2nd 3rd 4th 5th 6th 7th-12th

During what months is your regular school program offered?

- Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec

What are your regular school hours?

Do you offer child care before or after school?

- No
 Yes

If Yes, list the days and hours that before- or after-school care is provided (Example: Before school, 7:00 a.m. to 8:00 a.m.; After school, 3:30 p.m. to 6:00 p.m.)

If yes, indicate who provides the before- or after-school care:

- Your organization
 A contractor. Name of contractor:

Does your program also provide 24-hour residential care?

- No
 Yes

If yes, do parents retain primary responsibility for the financial support of their child in care, including financial support for health problems or serious personal problems?

- No
 Yes

Does your program share space with a program that is subject to regulation by the Department of Family and Protective Services?

- No
 Yes

If yes, answer the following:

Describe the building or areas that the programs use at the same time (such as restrooms, other indoor spaces, and outdoor spaces):

SECTION B - PROGRAM INFORMATION

Does your program use the same employees as the regulated program?

- No
 Yes

If yes, explain:

Describe how your employees supervise the children in care:

SECTION C - REQUIRED DOCUMENTATION

Indicate below the documentation that you are submitting with your exemption request. Submitting the documentation with your request helps us process your request efficiently and effectively.

- Proof of current accreditation
- Copies of information given to parents about the program (including enrollment forms, policies, schedules, and parent guides)
- Floor plan (including rest rooms, areas used by the children, and areas used by other programs that operate at the same time)
- Other informational and advertising materials (including Internet pages and links)
- Other information that demonstrates that your program is exempt

SECTION D - HOW DFPS PROCESSES YOUR EXEMPTION REQUEST

If the information you submit does not fully demonstrate that your program is exempt, we may request additional documentation or visit your program to obtain additional information.

If we determine that your program does not meet all of the criteria for an exemption, we will send you a letter stating that you must apply for a permit. The letter will also explain how to request an administrative review, if you do not agree with Licensing's decision.

If Licensing determines that your program is subject to regulation, you will be operating illegally if you continue to operate without meeting Licensing's requirements. We may file suit in district court for both a civil penalty and injunctive relief, if you knowingly engage in activities that require a license or registration.

SECTION E - PRIVACY STATEMENT

DFPS values your privacy. For more information, read our privacy policy online at:

www.dfps.state.tx.us/policies/privacy.asp

SECTION F - CERTIFICATION

I certify that the above description of the program is accurate, true, and complete. I understand that I may be required to provide additional information to show that the program meets all requirements to be exempt from Licensing regulation.

Signature of Owner, Partner, or Head
of Governing Body:

Title:

Date Submitted to Licensing: