



**PROGRAM OF LIMITED DURATION
REQUEST FOR EXEMPTION FROM REGULATION UNDER 40 TAC
§745.117**
CHILD CARE LICENSING (CCL)

Purpose: Licensing uses this form to determine whether your program is exempt from DFPS regulation based on an exemption for one of the following:

- Parents on premises: 40 TAC §745.117(1)
- Short-term program: A State Program 40: TAC §745.117(2)
- Religious program: 40 TAC §745.117(3)
- Foreign exchange sponsorship program: 40 TAC §745.117(4)

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.

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	
Your Name	Your Phone Number	Your Email Address
Your Address (Street Address, City, State, Zip Code)		

SECTION B - PROGRAM INFORMATION
Please answer the following questions about your overall program:
What is the overall purpose of your program?
What ages do you serve?

SECTION B - PROGRAM INFORMATION

How many children participate in your program?

What are your program's operating hours?

Name the specific days of the week that your business operates:

Describe the program that you are requesting an exemption for:

SECTION C - REQUIRED DOCUMENTS

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

- Description of all services provided
- Description of how each service provided is directly related to the program.
- Copies of information given to parents about the program (including enrollment forms, policies, schedules, parent guides).
- Daily schedule that describes what children do from the time that they arrive until they leave. (If your program offers services during school breaks, include the schedule for those days too.)
- Weekly or monthly schedule
- Fees collected for the services provided
- Floor plan (including rest rooms, areas used by the children, and areas used by other programs that operate at the same time)
- Informational and advertising materials (including Internet pages and links)
- Other information that demonstrates that your program is exempt

SECTION D - PARENTS ON THE PREMISES

Complete this section if you are requesting an exemption based on meeting the requirements for a **parents on the premises** program, as defined under 40 TAC §745.117(1).

What shopping center, business, or other activity, such as retreats or class instruction, does your program operate in association with the parents on the premises program?

Does your program advertise itself as a child care operation?

- No
- Yes

Do you inform parents that the state does not license your program?

- No
- Yes

SECTION D - PARENTS ON THE PREMISES

Does the parent or person responsible for the child attend or engage in an activity nearby?

- No
 Yes

If yes, what is the parent's primary activity?

How many hours of the day do children attend your program?

Name the specific days of the week that children attend your program?

Is the child care provided to enable the parent to attend an educational class provided by a nonprofit entity in a county that is adjacent to an international border and has a population of 800,000 or more?

- No
 Yes

Is the program's caregiver able to contact the parent or person responsible for the child at all times?

- No
 Yes

SECTION E - SHORT-TERM PROGRAM

Complete this section if you are requesting an exemption based on meeting the requirements for a **short-term program** under 40 TAC §745.117(2).

Does your program operate for fewer than three consecutive weeks and for fewer than 40 days in a 12-month period?

- No
 Yes

Does your program operate as a stand-alone operation; that is, one that is not part of an operation that is subject to regulation by DFPS?

- No
 Yes

SECTION F: RELIGIOUS PROGRAM

Complete this section if you are requesting an exemption based on meeting the requirements for a **religious program** under 40 TAC §745.117(3).

Does your program offer religious instruction, such as Sunday school or weekly catechism?

- No
 Yes

Is your program of a religious nature and does it last for two weeks or less?

- No
 Yes

SECTION G: FOREIGN EXCHANGE OR FOREIGN SPONSORSHIP PROGRAM

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Complete this section if you are requesting an exemption based on meeting the requirements for a **foreign Exchange or foreign sponsorship program** under 40 TAC §745.117(4).

Does your program offer a living arrangement in a caretaker's home where all of the following are true:

- An unrelated child or sibling group lives in the caretaker's home
- Each child lives in the United States on a time-limited visa
- Each child is being sponsored by person with whom they are living or by an organization?

No

Yes

If yes, describe the living arrangement?

SECTION H - HOW DFPS PROCESSES YOUR 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 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 I - PRIVACY STATEMENT

DFPS values your privacy. For more information, read our privacy policy online at www.dfps.state.tx.us/policies/privacy.asp.

SECTION J - 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 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: