

Area/Child Care Setting	Child Care Setting Definition	Exemption
<b>Abbreviations</b> General Definitions/Descriptions	<b>FACTORY FOR CHILD CARE OR CHILD CARE FACILITY:</b> A facility, whether established by any person, group of persons, agency, association or organization, whether established for gain or otherwise, who or which requires or arranges for care or placement of one or more children, consistent with the operation of the facility, apart from the parents, with or without the transfer of the legal custody, in any facility as defined in this chapter, established and maintained for the care of the children. <i>AKA. Admin. Code: 660-5-26-11(1) and 660-5-27-12(1).</i>	No person, group of persons or corporation may operate or conduct any facility for child care, as defined in this chapter, without being licensed or approved as provided in this chapter. provided, however, that nothing in this section or in this chapter prohibits an employee of the department from carrying out the duties of the department in connection with the provision of child care services. Further, the provisions of this chapter shall apply to preschool programs which are an integral part of a school district elementary or middle school, and are not recognized by the school or school district, whether operated separately or as part of a religiously affiliated elementary school, secondary school unit or institution of higher learning under the governing board or authority of a local board or of its conversion, association, or regional body to which it may be subject, provided that notice is filed in the governing board or authority of the school or school with the department that such school meets the established minimum care requirements of this chapter and is exempt from regulations by the department and a notice of intent to operate said program is to be appropriate the end of each month and such notices shall be inspected in accordance with the state and local fire and health requirements for such programs. <i>AKA. Code 56B-7-3.</i>
Family Day Care Homes & Nighttime Homes, Group Day Care Homes & Group Nighttime Homes	<b>DAY CARE HOME:</b> A child care facility which is a family home and which receives not more than six (6) children for care during the day. <i>AKA. Admin. Code: 660-5-27-12(3).</i> <b>FAMILY HOME:</b> A family home in the dwelling in which the applicant/caregiver resides. (Residence is determined by address, mortgage payment or care, voting district, property taxes, etc.) <i>AKA. Admin. Code: 660-5-27-12(1).</i> <b>GROUP DAY CARE HOME:</b> A child care facility which is a family home and which receives at least seven but not more than twelve children for care during part of the day, where there are at least two adults present and supervising the activities. <i>AKA. Admin. Code: 660-5-27-12(3).</i> <b>NIGHT CARE FACILITY:</b> A child care facility which is a center or a family home receiving a child or children for care after 7:00 p.m. A "night care facility" is further defined as follows: A. NIGHTTIME HOME: A family home which receives not more than six children for care after 7:00 p.m. B. GROUP NIGHTTIME HOME: A child care facility which is a family home which receives at least seven but not more than twelve children for nighttime care, where there are at least two adult present and supervising the activities. <i>AKA. Admin. Code: 660-5-27-12(3).</i>	See General Exemptions above.
Day Care Centers & Nighttime Centers	<b>DAY CARE CENTER:</b> Any child-care facility receiving more than twelve (12) children for daytime care during all or part of a day. The term "day care center" includes, but is not limited to, facilities commonly called "child care centers", "day nurseries", "nursery schools", "kindergarten" and "day groups" with or without stated educational purposes. The term further includes, but is not limited to, kindergarten or nursery schools or other daytime programs operated as part of a private school or receiving children younger than lawful school age for daytime care for more than four hours a day, with or without stated educational purposes. <i>AKA. Admin. Code: 660-5-26-12(1).</i> <b>NIGHT CARE FACILITY:</b> A child care facility which is a center or a family home receiving a child or children for care after 7:00 p.m. <i>AKA. Admin. Code: 660-5-26-12(1).</i> <b>NIGHTTIME CENTER:</b> A facility which is established to receive more than 12 children for nighttime care after 7:00 p.m. <i>AKA. Admin. Code: 660-5-26-12(1).</i>	<b>DAY CARE CENTER:</b> The term does not include any of the following: (1) Kindergarten or nursery schools or other daytime programs operated by public elementary systems or secondary level school units or institutions of higher learning. (2) Kindergarten or nursery schools or other daytime programs, with or without stated educational purposes, operating for more than four hours a day and receiving children younger than lawful school age. (3) Kindergarten or nursery schools or other daytime programs operated as part of a private school or receiving children younger than lawful school age for four hours a day or more, with or without stated educational purposes. (4) Facilities operating for more than four hours a day in connection with a religious center or service or other similar facility, where transient children are cared for temporarily while parents or custodians of the children are occupied on such facilities, either must hold and state the fire and health requirements. (5) Any type of day care center that is conducted on a residential governmental premises, or (6) Special activities program for children of lawful school age, but limited to, athletic, crafts instruction and similar activities conducted on an organized and periodic basis by civic, charitable and governmental organizations, provided, however, that local and state fire and health requirements are met. <i>AKA. Admin. Code: 660-5-26-12(1).</i> See General Exemptions above.
<b>Abbreviations</b> General Definitions/Descriptions	"Child care" or "care" means the supervision and provision of developmental opportunities, with or without compensation, to a child who does not have a parent present; "child care" or "care" includes services in or away from the child care facility. <i>AKA. Admin. Code 660-5-17-12(1).</i>	None.
Child Care Facilities	A child care facility: (1) means a place where a child care is regularly provided for children for periods less than 24 hours in duration unless nighttime care is authorized by the department; (2) includes a child care center, a child care group home, and a child care home; and (3) includes the administrative, program, and physical plant of a child care facility, other parts of the building housing the facility, and adjoining grounds over which the administrator has direct control. <i>Alaska Admin. Code 66-17, § 67.15(4)</i> "Child care center" means a child care facility for 13 or more children. <i>Alaska Admin. Code 66-17, § 67.15(5)(7)</i> "Child care group home" means a child care facility, usually in an occupied residence, for nine to 12 children. <i>Alaska Admin. Code 66-17, § 67.15(5)(8)</i> "Child care home" means a child care facility, usually in an occupied residence, for no more than eight children. <i>Alaska Admin. Code 66-17, § 67.15(5)(9)</i>	Exemptions from licensure requirements: (1) The following facilities or programs are exempt from the licensure requirements of AS 47.32 and this chapter: (a) facilities in which child care is regularly provided for children for periods less than 24 hours in duration unless nighttime care is authorized by the department; (2) a facility located on a United States Department of Defense or United States Coast Guard installation that is located on federal property, or a facility certified as a family child care provider by a branch of the United States Department of Defense or the United States Coast Guard; (3) recreational centers that allow children to attend that day care services on the premises of the children; (4) day care therapeutic programs of upper, middle, and rehabilitation services for children with special needs as described in 7 AAC 57.863, or with behavioral problems. (Department and Equity) (5) To exempt the primary facilities established and that (a) is certified as a private elementary school under 44 AAC 63.023 and 4 AAC 63.03; (b) serves children ages three through five years, and, under 4 AAC 63.023, is exempt from 4 AAC 63.023; (c) is operated as a Head Start preschool program required to meet standards established under 42 U.S.C. 9852a; (6) temporary facilities provided for one specific one-time occurrence scheduled for less than three weeks in any 12-month period, including a conference or weekend seminar, for purposes of this paragraph, a temporary facility does not include a single camp or single program described in § 11 of this subsection; (7) facilities that regularly provide care to five or fewer children who are not related to the caregiver; "regularly provides care" means that a child is enrolled for regular care, regardless of whether that child remains full-time or part-time care; (8) a facility in which the caregiver is a relative of all of the children; (9) a facility in which the caregiver is a relative of the child; (10) a public or private alternative child care program, kindergarten through grade six, having fewer than four hours each day. The exemption in this paragraph does not apply to child care provided at the school site before or after school; (11) subject to this section, a day camp or camp facility or program that (a) holds current accreditation or certification from the American Camping Association or another national accreditation group with standards the department finds, are substantially similar to the requirements of this chapter; a facility or program that believes it cannot enroll under this program that submit the standards to the department for review and approval; (b) provides services for children age five years and older; (c) operates more than five weeks in any 12-month period; and (d) operates only during summer, winter, and spring school breaks. (12) To exempt the temporary residential care facilities under AS 47.32 and this chapter, a facility or program must provide and conduct a background-based criminal history check for each employee and other individual associated with the facility in a manner described in 7 AAC 10.030(b). If the facility or program does not conduct fingerprint-based criminal history checks as described in this subsection, the department will accept the accreditation or certification standards of the facility or program in lieu of the licensing requirements of this chapter, and (2) the facility or program must meet the applicable requirements of AS 47.32.002-47.32.006 and 7 AAC 10.002-7 AAC 10.006 (former Census, Commodity Agency), Alaska Admin. Code 66-17, § 67.15(1).
<b>Abbreviations</b> Child Care Facilities	"Facility" has the same meaning as "child care facility" in A.S. § 46.085. <i>AKA. Admin. Code 66-9-2-101 (1), 66-9-101(4)</i> "Child care facility" means any facility which child care is regularly provided for compensation for five or more children not related to the caregiver. <i>AKA. Admin. Code 66-9-2-101(1)</i> 1. A religious institution conducting a nursery in conjunction with a religious service or conducting a non-commercial seasonal day camp. 2. A religious institution conducting a nursery in conjunction with a religious service. 3. A religiously organized private school exempt from licensure under AS 47.32 and this chapter that is not licensed as a child care facility. 4. A religiously organized private school exempt from licensure under AS 47.32 and this chapter that is not licensed as a child care facility. 5. Any facility that provides training only in specific activities, including dancing, drama, music, self-defense or religion. 6. If a religiously organized private school exempt under subsection 1, paragraph 4 of this section provides child care beyond public school hours for children who are not regularly enrolled in kindergarten programs or grades one through twelve, the portion of the school providing such care shall be considered a child care facility and is subject to the provisions of this article. 7. Any facility that provides training only in specific activities, including dancing, drama, music, self-defense or religion and training provided by public schools solely to improve school performance. 8. Any facility that provides only recreational or instructional activities to school-age children who may come and depart from the facility at their own volition. The facility may require the children to document that entrance into and departure from the facility and this documentation does not affect the exemption under this paragraph. 9. Any facility that provides only educational instruction for children who are at least three and not older than six years of age if the following are true: (a) The facility instructs only in the core subjects of math, reading and science. (b) The facility does not accept state-subsidized tuition for the children. (c) A child is present at the facility for not more than two and one-quarter hours a day and not more than three days a week. (d) The instruction is not provided in place of care ordinarily provided by a parent or guardian. (e) The facility posts a notice that is not licensed under this article. (f) The facility registers all of its personnel pursuant to section 36.03.02. 10. A facility that operates a day camp that provides recreational programs to children of all of the following age groups: (a) The day camp is accredited by a nationally recognized accrediting organization for day camps as approved by the department. (b) The day camp operates for less than twenty-four hours a day and less than two weeks each calendar year. (c) The day camp camps a notice of intent to operate as a child care facility. (d) The day camp provides programs only to children who are at least five years of age. (e) The day camp requires fingerprint cards of all personnel pursuant to section 36.03.02. <i>AKA. Admin. Code 66-36-36A.</i>	
Child Care Group Homes	"Child care group home" has the meaning in A.S. § 46.087. <i>AKA. Admin. Code 66-9-2-101(5)</i> "Child care group home" means a residential facility in which child care is regularly provided for compensation for periods for less than twenty-four hours per day for not less than five children but no more than ten children through the age of twelve years. <i>AKA. Admin. Code 66-9-2-101(5)</i> A. This article does not apply to the care given to children by or to: 1. The homes of their own parents. 2. A religious institution conducting a nursery in conjunction with a religious service. 3. A unit of the public school system. 4. A religiously organized private school exempt from licensure under AS 47.32 and this chapter that is not licensed as a child care facility. 5. Any facility that provides training only in specific activities, including dancing, drama, music, self-defense or religion. 6. Any facility that provides only recreational or instructional activities to school-age children who may come to and depart from the facility at their own volition. 7. If a religiously organized private school exempt under subsection 1, paragraph 4 of this section provides child care beyond public school hours for children who are not regularly enrolled in kindergarten programs or grades one through twelve, the portion of the school providing this care shall be considered a child care group home and is subject to this article. <i>AKA. Admin. Code 66-9-2-101(5)</i>	
<b>Abbreviations</b> Child Care Centers	"Child Care Center" means any Child Care Facility conducted under public or private auspices on a profit or nonprofit basis providing direct care and protection for children. Any facility that is open more than (1) hours during any 24-hour period or more than 168 total (168) hours during a semester (7) day period is considered a Child Care Center and shall be subject to the provisions of Child Care Facility Licensure Act. <i>AKA. Admin. Code 66-12-2-1, Appendix A(2)</i> These facilities meeting the above definitions but operating no more than three (3) weeks per calendar year are not required to comply with the licensing requirements, 14 - Subchapter Alaska Schools and Camps. For purposes of determining the need for a license, all care provided at the site of a licensed program is considered a part of the licensed program and therefore subject to licensing requirements. This includes separate buildings located on the same property or any other property under the same ownership. Part-time Day Out and other part-time programs serving children not participating in the licensed program are exempt as long as they operate no more than 5 hours per day or 10 hours per week. Public or private schools which operate a kindergarten (K) in conjunction with grades and above, or for grades one and above only, and provides short-term custodial care (not to exceed 20 hours weekly) prior to and/or following classes for those students, is not required to comply with licensing requirements for the short-term custodial care provided. <i>AKA. Admin. Code 66-12-2-1, Appendix A(2)</i>	
Out of School Time	"Out of School Time Program" means a child care/child care or youth development program caring for children who are in kindergarten (K-5) years of age and above. OST care includes before and after school care, extended care during school holidays, winter day camps, and youth development programs. <i>AKA. Admin. Code 66-12-2-1, Appendix A(2)</i> OST Programs which operate with children arriving and leaving voluntarily for scheduled classes, activities, practice, games, and meetings are defined as recreational programs, and do not fall under the definition of requiring licensure as an OST Program. For purposes of determining the need for a license, all care provided at the site of a licensed OST program is considered a part of the licensed program and therefore subject to licensing requirements. This includes separate buildings located on the same property or any other property under the same ownership. Part-time Day Out and other part-time programs serving children not participating in the licensed OST program are exempt as long as they operate no more than 5 hours per day or 10 hours per week. Public or private schools which operate a kindergarten (K) in conjunction with grades and above, or for grades one and above only, and provides short-term custodial care (not to exceed 20 hours weekly) prior to and/or following classes for those students, is not required to comply with licensing requirements for the short-term custodial care provided. <i>AKA. Admin. Code 66-12-2-1, Appendix A(2)</i>	
Licensed Child Care Family Homes	A Child Care Family Home is defined as a situation in which children are cared for in a caregiver's own family residence or in some other suitable family type residence. <i>AKA. Admin. Code 66-12-2-1-101(1)</i> A home requires housing when one (1) or more persons care for six (6) or more children, from more than one (1) family at the same time. A maximum of sixteen (16) children may be cared for with child care family home care. <i>AKA. Admin. Code 66-12-2-1-101(1)</i>	None.
Registered Child Care Family Homes	There are three (3) types of registered homes as follows: 1. Registered Child Care Family Home: a situation in which two (2) or less children are cared for in a caregiver's own residence or in some other suitable family type residence. 2. Relative Child Care Family Home: a situation in which five (5) or less children are cared for by a relative of the child(ren). The relationship must be that of a grandparent, grandparent, aunt, uncle, sibling, or relative of the home. The registered home may provide the child care either in his/her home or the home of the child(ren). Proof of relationship must be provided to verify proof of relationship. 3. The child(ren) to be cared for in the home. 4. Birth certificate of the caregiver (if the caregiver is not a parent or grandparent). 5. Marriage license of the caregiver (if the caregiver is not a parent or grandparent). 6. In-home Child Care Registration card issued to the caregiver by the family to provide the day care to five (5) or less children in the child(ren)'s own home. This In-Home Registration is not valid for child care provided outside the caregiver's own home. <i>AKA. Admin. Code 66-12-2-1-101(1-3)</i> If at any time care is provided to six or more children from more than one family, the law requires the provider to be licensed. The caregiver's own preschool child(ren) shall be considered when determining the need for a license or registration. The caregiver's own preschool child(ren) are not considered when determining the need for a license or registration. Other children in the home who are not accompanied by a parent are considered as being in care whether they are involved for the care or not. <i>AKA. Admin. Code 66-12-2-1-101(1)</i>	None.
<b>Abbreviations</b> General Definitions/Descriptions	"Child care facility" or "Child Care Facility" or "facility" means any place or building in which less than 24-hour care is provided on a regular basis and supervision, as defined in Section 101.153.020, is provided to children in a group setting. The term "Child Care Facility" supersedes the term "Child Day Care Facility" as used in previous regulations. <i>Ch. Code Reg. No. 12, § 101.153.020(8)</i>	None.

Family Child Care Homes	<p>(1) "Family Day Care" or "Family Child Care" means regularly provided care, protection and supervision of children, in the care giver's own home, for periods of less than 24 hours per day, who are not in authorized representation of a family. The term "Family Child Care" supersedes the term "Family Day Care" as used in previous regulations.</p> <p>(A) "Small Family Child Care Home" means a home that provides family child care for up to six children, or for up to eight children if the caregiver has met. These capacities include children under age 12 who live in the licensee's home.</p> <p>(B) "Large Family Child Care Home" means a home that provides family child care for up to 12 children, or for up to 14 children if the caregiver has met. These capacities include children under age 12 who live in the licensee's home and the custodian-provider's children under age 12. C.C. Code Regs. 15-2-2.1, 15-2.1-101(1)(2).</p>	<p>A qualified Health and Safety Code Section 1506-702, the child care center regulations contained in this division shall not apply to any of the following:</p> <p>(1) Any health facility, as defined by Section 1220 of the Health and Safety Code.</p> <p>(2) Any clinic, as defined by Section 1202 of the Health and Safety Code.</p> <p>(3) Any community care facility, as defined by Section 1552 of the Health and Safety Code.</p> <p>(4) Any family day care home providing care for the children of only one family in addition to the operator's own children.</p> <p>(5) Any cooperative arrangement between parents for the care of their children where no payment is involved and the arrangement meets all of the following conditions:</p> <p>(A) A cooperative arrangement, parents shall contribute their efforts, in that such parent, or set of parents, retains as the responsible care giver with respect to all the children in the cooperative.</p> <p>(B) No person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.</p> <p>(C) There can be no payment of money or receipt of a kind of income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for ragging, pillows, and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for nonchild activities, the amount of that may exceed the actual cost of the activity.</p> <p>(D) No more than 12 children are receiving care in the same place at the same time.</p> <p>(E) Any arrangement for the receiving and care of children by a relative.</p> <p>(6) Any public recreation program. "Public recreation program" means a program operated by the state, city, county, special district, school district, community college district, chartered city, or chartered city and county that meets either of the following criteria:</p> <p>(A) The program is operated during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(B) The program is provided to children who are over the age of four years and one month and are yet enrolled in school and the program is operated during either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(7) The program is provided to children under the age of four years and one month with sessions that are 12 hours per week or less and are 52 weeks or less in duration. A program subject to this paragraph may permit children to be enrolled in consecutive sessions throughout the year. However, the program shall not permit children to be enrolled in a combination of sessions that total more than 12 hours per week for each child.</p> <p>(8) Public program activities that operate a program before and/or after school for school age children provided all of the following conditions are met:</p> <p>(A) The program offered by a school may be operated by the school and/or by qualified teachers employed by the school or the school district.</p> <p>(B) An eligible organization or individual using a public or private school site to operate child care program is subject to licensure, when the program is open only to the children enrolled at that school.</p> <p>(C) Any school-parenting program or adult education child care program that satisfies both the following:</p> <p>(A) Is operated by a public school district or operated by an individual or organization subject to a contract with a public school district.</p> <p>(B) Is not operated by an organization specified in Section 1506-703.</p> <p>(10) Any child day care program that operates only one day per week for no more than four hours on that one day.</p> <p>(11) Any child day care program that offers temporary child care services to parents and which satisfies both of the following:</p>
Infant Care Centers	<p>Infant Care Centers" means any child care center or part of a child care center of any capacity where less than 24-hour care normal care and supervision are provided to infants in a group setting. C.C. Code Regs. 15-2-2.1, 15-2.1-101(1)(2).</p>	<p>A qualified Health and Safety Code Section 1506-702, the child care center regulations contained in this division shall not apply to any of the following:</p> <p>(1) Any health facility, as defined by Section 1220 of the Health and Safety Code.</p> <p>(2) Any clinic, as defined by Section 1202 of the Health and Safety Code.</p> <p>(3) Any community care facility, as defined by Section 1552 of the Health and Safety Code.</p> <p>(4) Any family day care home providing care for the children of only one family in addition to the operator's own children.</p> <p>(5) Any cooperative arrangement between parents for the care of their children where no payment is involved and the arrangement meets all of the following conditions:</p> <p>(A) A cooperative arrangement, parents shall contribute their efforts, in that such parent, or set of parents, retains as the responsible care giver with respect to all the children in the cooperative.</p> <p>(B) No person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.</p> <p>(C) There can be no payment of money or receipt of a kind of income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for ragging, pillows, and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for nonchild activities, the amount of that may exceed the actual cost of the activity.</p> <p>(D) No more than 12 children are receiving care in the same place at the same time.</p> <p>(E) Any arrangement for the receiving and care of children by a relative.</p> <p>(6) Any public recreation program. "Public recreation program" means a program operated by the state, city, county, special district, school district, community college district, chartered city, or chartered city and county that meets either of the following criteria:</p> <p>(A) The program is operated during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(B) The program is provided to children who are over the age of four years and one month and are yet enrolled in school and the program is operated during either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(7) The program is provided to children under the age of four years and one month with sessions that are 12 hours per week or less and are 52 weeks or less in duration. A program subject to this paragraph may permit children to be enrolled in consecutive sessions throughout the year. However, the program shall not permit children to be enrolled in a combination of sessions that total more than 12 hours per week for each child.</p> <p>(8) Public program activities that operate a program before and/or after school for school age children provided all of the following conditions are met:</p> <p>(A) The program offered by a school may be operated by the school and/or by qualified teachers employed by the school or the school district.</p> <p>(B) An eligible organization or individual using a public or private school site to operate child care program is subject to licensure, when the program is open only to the children enrolled at that school.</p> <p>(C) Any school-parenting program or adult education child care program that satisfies both the following:</p> <p>(A) Is operated by a public school district or operated by an individual or organization subject to a contract with a public school district.</p> <p>(B) Is not operated by an organization specified in Section 1506-703.</p> <p>(10) Any child day care program that operates only one day per week for no more than four hours on that one day.</p> <p>(11) Any child day care program that offers temporary child care services to parents and which satisfies both of the following:</p>
Child Care Centers for Mildly II Children	None.	<p>A qualified Health and Safety Code Section 1506-702, the child care center regulations contained in this division shall not apply to any of the following:</p> <p>(1) Any health facility, as defined by Section 1220 of the Health and Safety Code.</p> <p>(2) Any clinic, as defined by Section 1202 of the Health and Safety Code.</p> <p>(3) Any community care facility, as defined by Section 1552 of the Health and Safety Code.</p> <p>(4) Any family day care home providing care for the children of only one family in addition to the operator's own children.</p> <p>(5) Any cooperative arrangement between parents for the care of their children where no payment is involved and the arrangement meets all of the following conditions:</p> <p>(A) A cooperative arrangement, parents shall contribute their efforts, in that such parent, or set of parents, retains as the responsible care giver with respect to all the children in the cooperative.</p> <p>(B) No person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.</p> <p>(C) There can be no payment of money or receipt of a kind of income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for ragging, pillows, and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for nonchild activities, the amount of that may exceed the actual cost of the activity.</p> <p>(D) No more than 12 children are receiving care in the same place at the same time.</p> <p>(E) Any arrangement for the receiving and care of children by a relative.</p> <p>(6) Any public recreation program. "Public recreation program" means a program operated by the state, city, county, special district, school district, community college district, chartered city, or chartered city and county that meets either of the following criteria:</p> <p>(A) The program is operated during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(B) The program is provided to children who are over the age of four years and one month and are yet enrolled in school and the program is operated during either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(7) The program is provided to children under the age of four years and one month with sessions that are 12 hours per week or less and are 52 weeks or less in duration. A program subject to this paragraph may permit children to be enrolled in consecutive sessions throughout the year. However, the program shall not permit children to be enrolled in a combination of sessions that total more than 12 hours per week for each child.</p> <p>(8) Public program activities that operate a program before and/or after school for school age children provided all of the following conditions are met:</p> <p>(A) The program offered by a school may be operated by the school and/or by qualified teachers employed by the school or the school district.</p> <p>(B) An eligible organization or individual using a public or private school site to operate child care program is subject to licensure, when the program is open only to the children enrolled at that school.</p> <p>(C) Any school-parenting program or adult education child care program that satisfies both the following:</p> <p>(A) Is operated by a public school district or operated by an individual or organization subject to a contract with a public school district.</p> <p>(B) Is not operated by an organization specified in Section 1506-703.</p> <p>(10) Any child day care program that operates only one day per week for no more than four hours on that one day.</p> <p>(11) Any child day care program that offers temporary child care services to parents and which satisfies both of the following:</p>
Child Care Centers	<p>"Child Care Center" or "Child Care Center" for "center" means any child care facility of any capacity, other than a Family Child Care Home as defined in Section 1502(1)(2), in which less than 24-hour day normal care and supervision are provided to children in a group setting. The term "Child Care Center" supersedes the term "Day Care Center" as used in previous regulations. C.C. Code Regs. 15-2-2.1, 15-2.1-101(1)(2).</p>	<p>A qualified Health and Safety Code Section 1506-702, the child care center regulations contained in this division shall not apply to any of the following:</p> <p>(1) Any health facility, as defined by Section 1220 of the Health and Safety Code.</p> <p>(2) Any clinic, as defined by Section 1202 of the Health and Safety Code.</p> <p>(3) Any community care facility, as defined by Section 1552 of the Health and Safety Code.</p> <p>(4) Any family day care home providing care for the children of only one family in addition to the operator's own children.</p> <p>(5) Any cooperative arrangement between parents for the care of their children where no payment is involved and the arrangement meets all of the following conditions:</p> <p>(A) A cooperative arrangement, parents shall contribute their efforts, in that such parent, or set of parents, retains as the responsible care giver with respect to all the children in the cooperative.</p> <p>(B) No person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.</p> <p>(C) There can be no payment of money or receipt of a kind of income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for ragging, pillows, and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for nonchild activities, the amount of that may exceed the actual cost of the activity.</p> <p>(D) No more than 12 children are receiving care in the same place at the same time.</p> <p>(E) Any arrangement for the receiving and care of children by a relative.</p> <p>(6) Any public recreation program. "Public recreation program" means a program operated by the state, city, county, special district, school district, community college district, chartered city, or chartered city and county that meets either of the following criteria:</p> <p>(A) The program is operated during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(B) The program is provided to children who are over the age of four years and one month and are yet enrolled in school and the program is operated during either of the following periods: 1. For under 14 hours per week. 2. For a total of 12 weeks or less during 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.</p> <p>(7) The program is provided to children under the age of four years and one month with sessions that are 12 hours per week or less and are 52 weeks or less in duration. A program subject to this paragraph may permit children to be enrolled in consecutive sessions throughout the year. However, the program shall not permit children to be enrolled in a combination of sessions that total more than 12 hours per week for each child.</p> <p>(8) Public program activities that operate a program before and/or after school for school age children provided all of the following conditions are met:</p> <p>(A) The program offered by a school may be operated by the school and/or by qualified teachers employed by the school or the school district.</p> <p>(B) An eligible organization or individual using a public or private school site to operate child care program is subject to licensure, when the program is open only to the children enrolled at that school.</p> <p>(C) Any school-parenting program or adult education child care program that satisfies both the following:</p> <p>(A) Is operated by a public school district or operated by an individual or organization subject to a contract with a public school district.</p> <p>(B) Is not operated by an organization specified in Section 1506-703.</p> <p>(10) Any child day care program that operates only one day per week for no more than four hours on that one day.</p> <p>(11) Any child day care program that offers temporary child care services to parents and which satisfies both of the following:</p>
Colleges	None.	<p>Exempt Exemptions:</p> <ol style="list-style-type: none"> <li>A home is not required to:</li> <li>A special school or class in which more than twenty-five (75) percent of the time children are present is spent in religious instruction. Religious instruction is defined to include such developmentally appropriate children's activities as worship, singing religious songs, listening to religious stories, learning and practicing religious cultural activities, and participating in religious activities;</li> <li>A school or class is operated for a single child building program;</li> <li>A child care center operator's connection with a church, shopping center, or business where children are cared for during short periods of time, and to exceed five hours in any twenty-four-hour period of time, while parents or parents in charge of such children, or employees of the church, shopping center, or business where children are being cared for at such location are attending church services at such location, shopping, participating or working on the premises of the business. This facility must be operated on the premises of the church, business, or shopping center. Only children of parents or guardians who are attending a church service or attending the business or shopping center or working at such church, shopping center, or business can be cared for in a center;</li> <li>A day care of children who are not in attendance, which means the offering of child care infrequently and regularly that has no apparent student;</li> <li>A family care home in which 24-hour care is given for only one child or for more than one child who are siblings from the same family household at any one time;</li> <li>A day care facility that is approved, certified, or licensed by another state department or agency, or by a federal government department or agency, which has standards for operation of the facility and inspects its monitors by the facility;</li> <li>The medical care of children in a hospital;</li> <li>A day care facility as defined in Sections 26-6-202(5) and 26-6-203-5, C.S.;</li> <li>A neighborhood youth organization as defined in Sections 26-6-202(1) and 26-6-203-5, C.S.; C.C. Code Regs. § 2509-8-7-702-1(1)(1).</li> </ol>
Child Care Centers	<p>"Childcare center" less than 24-hour programs of care defined as Section 26-6-202(5), C.S., include the following types of facilities:</p> <ol style="list-style-type: none"> <li>A "large child care center" provides care for sixteen (16) or more children between two and one-half (1.5) and seven (7) years of age.</li> <li>A "small child care center" provides care for five (5) through fifteen (15) children between two (2) and seven (7) years of age.</li> <li>An "infant program" provides care for children between six (6) weeks and eighteen (18) months of age.</li> <li>A "toddler program" provides care for children between the ages of twelve (12) months before walking independently and twenty-four (24) months of age.</li> <li>"Preschool" is a part-day child care program for five (5) or more children between the ages of two and one-half (2-1/2) and seven (7) years of age.</li> <li>"Nursery" provides a program for children the year before they enter the first grade.</li> <li>A "school-age child care center" means a child care center that provides care for five (5) or more children who are between five (5) and sixteen (16) years of age. The centers purpose is to provide child care and/or an outdoor recreational environment. The center operates for more than one week during the year. The term includes facilities commonly known as "day camps," "summer camps," "summer playground programs," "before and after school programs," and "extended day programs." This includes centers operated with or without compensation for such services with or without contractual arrangements. A "building-based school-age child care program" means a child care program that provides care for five (5) or more children who are between five (5) and sixteen (16) years of age. The center is located in a building that is regularly used for the care of children. A "mobile school-age child care program" provides care for five (5) or more children who are between five (5) years of age or more completing the third grade. Children move from one site another in means of transportation provided by the governing body of the program. The program uses no permanent building or regular basis for the care of children. An "outdoor-based school-age child care program" provides care for five (5) or more children who are at least seven (7) years of age or have completed the third grade. The program uses no permanent building or regular basis for the care of children. Children are cared for in a permanent outdoor or park setting. C.C. Code Regs. § 2509-8-7-702-1(2).</li> </ol> <p>Child care centers, less than 24-hour care (referred to as "centers"), provide comprehensive care for children when the parents or guardians are employed of otherwise unavailable to care the children. Child care centers may operate twenty-four (24) hours a day, but the children are cared for at the center fewer than twenty-four (24) hours a day. C.C. Code Regs. § 2509-8-7-702-1(3).</p> <p>Child care centers, less than 24-hour programs of care, include the following types of facilities:</p> <ol style="list-style-type: none"> <li>A "large child care center" provides care for 16 or more children between the ages of 2 and 7 years.</li> <li>A "small child care center" provides care for 5 through 15 children between the ages of 2 and 7 years.</li> <li>An "infant program" provides care for children between the ages of 6 weeks and 18 months.</li> <li>A "toddler program" provides care for children between the ages of 12 months (when walking independently) or with a health care provider's statement indicating developmental appropriateness of placement in a toddler program and 36 months.</li> </ol>	See General Exemptions above.





Infant and Toddler Services in a Child Care Home	<p>A person who provides child care services for infants or toddlers that meet all the requirements of this rule. If there is any difference in requirements, the specific information contained in this rule will prevail. 470 Ind. Admin. Code 3-2-1.1.</p> <p>As used in this rule, "infant" means a child from birth to twelve (12) months of age. 470 Ind. Admin. Code 3-1-1.10.</p> <p>As used in this rule, "toddler" means a child from twelve (12) months of age through twenty-four (24) months of age. Ind. Admin. Code 3-1-1.11.</p>	None.
Class II Child Care Homes	<p>A Class II child care home serves more than twelve (12) children but not more than sixteen (16) full-time and part-time children at any one (1) time. A licensee who provides Class II child care shall meet all the requirements of IC 12-2-2 and IC 12-2-2-1, as well as the requirements of this rule. If there is any difference in requirements, the specific information contained in IC 12-2-2-1 and IC 12-2-2-5 shall prevail. 470 Ind. Admin. Code 3-1-1.1.</p>	None.
Child Care Facilities and Registered Day Care Missions	<p>"Registered day care mission" means day care provided as an extension of a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code, that is affiliated and registered with the board of health and under the master's office pursuant to IC 12-2-2-2-3(c). 470 Ind. Admin. Code 3-4-5.1.</p> <p>"Facility" means an unlicensed but registered day care ministry. 470 Ind. Admin. Code 3-4-5.1.</p>	None.
School Age Child Care Program	<p>Not specifically defined.</p> <p>The purpose of #202-AC (this article) is to implement the school age child care program, authorized by IC 20-5-61 [IC 20-5-61 was repealed by I.L. 919, SECTION 08, effective January 1, 1992, which offers care to children between five (5) and fifteen (15) years of age. The program is authorized before the school year, during the school year, and during periods when school is in session for students who are enrolled in a full-day kindergarten program. 470 Ind. Admin. Code 3-4-6.1.</p> <p>"School age children" means children attending first grade or above. 470 Ind. Admin. Code 3-4-7-10(5).</p>	<p>The school age child care program does not include the following:</p> <ol style="list-style-type: none"> <li>(1) The provision of day care services by the department of education.</li> <li>(2) The provision of day care services provided by the department of education.</li> <li>(3) Child care centers for children who are enrolled in a school district.</li> <li>(4) Child care centers for children who are enrolled in a school district.</li> </ol> <p>470 Ind. Admin. Code 3-4-6.1.</p>
Child Care Centers	<p>"Child care center" has the meaning set forth in IC 12-2-2-28.4. 470 Ind. Admin. Code 3-4-7-10(2).</p> <p>"Child care center," for purposes of IC 12-2-2, means a nonresidential building where at least one (1) child receives child care from a provider:</p> <ol style="list-style-type: none"> <li>(1) who is unaffiliated by parent, legal guardian, or custodian;</li> <li>(2) for regular consumption; and</li> <li>(3) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. Ind. Code 12-2-2-28.4.</li> </ol>	None.
Child Care Services	<p>"Child care" means a service that provides child care in the absence of parents for a portion of the day, but less than 24 hours. Child care supplements parental care by providing care and protection for children who need care or are in need of care. Child care provides supervision for each child's emotional, intellectual, and physical development. Child care may include comprehensive child development care or it may include special services for a child with special needs. Components of this service shall include supervision, food services, program and activities, and they include transportation. Iowa Admin. Code r. 461-170.1</p>	None.
Child Care Centers	<p>"Child care" means the care, supervision, or guidance of a child by a person other than the parent, guardian, or custodian for periods of less than 24 hours per day per child on a regular basis in a place other than the child's home. Iowa Admin. Code r. 441-100.1</p> <p>"Child care center" or "center" means a facility providing child care for seven or more children, except when the facility is registered as a child development home. Iowa Admin. Code r. 441-100.1</p>	<p>"Child care" does not include care, supervision, or guidance of a child by any of the following:</p> <ol style="list-style-type: none"> <li>(1) The provision of day care services by the department of education or the state board of education.</li> <li>(2) Any of the following church-related programs: <ul style="list-style-type: none"> <li>A youth program other than a preschool, before or after school child care program, or other child care program.</li> <li>A program providing care to children on church premises where the children's parents are attending church-related or church-sponsored activities on the church premises.</li> <li>Short-term classes of less than two weeks' duration held between school terms or during a break within a school term.</li> <li>A child care center for each children's organization of a parent to which is hospital licensed by the department of inspectors and appeals pursuant to Iowa Code chapter 120B.</li> </ul> </li> <li>(3) A program operated not more than one day per week by volunteers that meets all the following conditions: <ul style="list-style-type: none"> <li>A. The program is operated at the residence of the parent, guardian, or custodian.</li> <li>B. The program operates for less than 4 hours during any 24-hour period.</li> <li>C. The program is operated at the residence of the parent, guardian, or custodian.</li> <li>D. A nationally accredited camp.</li> <li>E. A program operated by a religious organization or a non-profit organization or a not-for-profit organization and is limited to children who are five years of age or older and attending school.</li> </ul> </li> <li>(4) An instructional program for children at least four years of age who are attending day care programs, as defined by the state board of education, or a higher grade level, administered by a nonpublic school system which is not accredited by the department of education or the state board of education.</li> <li>(5) An after school program conducted on school premises providing care to children who are at least four years of age and enrolled in school and attend the program voluntarily, or a summer camp program for such children. The program must be provided through a normal membership fee or a no-cost program.</li> <li>(6) A special activity program which meets less than four hours per day for the sole purpose of the special activity. Special activity programs include but are not limited to music or dance classes, organized athletic or sports programs, recreational classes, scouting programs, and hobby or craft clubs or classes.</li> <li>(7) A contract approved by the department of health, community and senior services, or the department of public safety.</li> <li>(8) A purchase of services or managed care contract with the department.</li> <li>(9) A contract approved by a local registration governance board.</li> <li>(10) An arrangement approved by a juvenile court order.</li> <li>(11) Care provided to children at parents' residence as an emergency, homeless, or domestic violence shelter.</li> <li>(12) A child care facility providing regular care to a licensed foster family home for a period of 24 hours or more to a child who is placed with that licensed foster family home.</li> <li>(13) A program offered to a child whose parent, guardian, or custodian is engaged only in a recreational or social activity, remains involuntarily available and accessible on the physical premises on which the child's care is provided, and does not engage in employment while the care is provided. However, if the recreational or social activity is provided in a fitness center or on the premises of a nonprofit organization, the parent, guardian, or custodian of the child may be employed to teach or lead the activity. Iowa Admin. Code r. 441-100.1</li> </ol>
Child Development Homes	<p>"Child care" means the care, supervision, or guidance of a child by a person other than the child's parent, guardian, or custodian for periods of less than 24 hours per day per child on a regular basis. Iowa Admin. Code r. 441-100.1</p> <p>"Child care home" means a person or program providing child care to five or fewer children at any one time that is not registered to provide child care under this chapter, as authorized under Iowa Code section 223A.3. Iowa Admin. Code r. 441-100.1</p> <p>"Child development home" means a person or program registered under this chapter that may provide child care to six or more children at any one time. Iowa Admin. Code r. 441-100.1</p>	Child care does not mean special activity programs that meet on regular basis such as music or dance classes, organized athletics or sports programs, scouting programs, or hobby or craft clubs or classes. Iowa Admin. Code r. 441-100.1
Notes		
General Definitions/Comments	<p>"Child care facility" means:</p> <ol style="list-style-type: none"> <li>(1) A facility maintained by a person who has control or custody of one or more children under 16 years of age, unattended by parent or guardian, for the purpose of providing the children with food or lodging, or both, except children in the custody of the secretary for children and families who are placed with a prospective adoptive family pursuant to the provisions of an adoptive placement agreement or who are related to the person by blood, marriage or legal adoption;</li> <li>(2) A children's home, orphanage, maternity home, day care facility, or other facility of a type determined by the secretary to require registration under the provisions of this act;</li> <li>(3) A child development agency or child care resource and referral agency, or a facility maintained by such an agency for the purpose of caring for children under 16 years of age;</li> <li>(4) Any receiving or admission home for children under 16 years of age provided or maintained by, or receiving aid from, any city or county or the state. Kan. Stat. § 65-520(c).</li> </ol> <p>"Day care facility" means a child care facility that includes a day care home, preschool, child care center, school age program or other facility of a type determined by the secretary to require registration under the provisions of K.S.A. 65-520(a), and amendments thereto. Kan. Stat. § 65-520(b).</p> <p>As used in this section:</p> <ol style="list-style-type: none"> <li>(1) "Child care program" means a day care center, group day care home or day care home.</li> <li>(2) "Recreation center" means any building used by a custodian or being custodian of this state, or by an agency thereof, for recreation programs which serve children who are 16 years of age or younger. Kan. Stat. § 65-527(f).</li> </ol>	None.
Day Care Homes and Group Day Care Homes	<p>"Day care home" means a day care home as defined under Kansas administrative regulation 28-8-113 and a group day care home as defined under Kansas administrative regulation 28-8-111. Kan. Stat. § 65-520(d)(1).</p> <p>"Group day care home" means the premises on which care is provided for a maximum of 12 children under 16 years of age, with a limited number of children under five years of age in accordance with K.S.A. 28-8-114(c). Kan. Admin. Reg. 28-8-113(c).</p> <p>"Group day care home" means the premises on which care is provided for a maximum of 12 children under 16 years of age, with a limited number of children under five years of age in accordance with K.S.A. 28-8-114(c). Kan. Admin. Reg. 28-8-113(c).</p>	<p>(1) shall be available for parents, fire, corporation or association to conduct or maintain a maternity center or a child care facility for children under 16 years of age without having a license or temporary permit therefor from the secretary of health and environment. Nothing in this act shall apply to:</p> <ol style="list-style-type: none"> <li>(a) A residential facility or hospital that is operated and maintained by a state agency as defined in K.S.A. 74-32-220, and amendments thereto;</li> <li>(b) A summer recreational camp that:</li> <li>(i) is operated by a Kansas educational institution as defined in K.S.A. 74-32-220, and amendments thereto, or a postsecondary educational institution as defined in K.S.A. 74-32-220, and amendments thereto;</li> <li>(ii) is operated for not more than two weeks;</li> <li>(iii) provides instruction to children, all of whom are 12 years of age and older; and</li> <li>(iv) is accepted by an agency or organization acceptable to the secretary of health and environment. Kan. Stat. § 65-520.</li> </ol>
Drop-In Programs for School Age Children and Youth	<p>"Drop-in program" means a child care facility that is not licensed as an individual's residence, that serves exclusively school-age children and youth, and in which the operator permits children and youth to arrive at and depart from the program at their own option and at unlicensed times. This term shall not include a program, not licensed class, or activity as specified in K.S.A. 28-8-17(b)(3). Kan. Admin. Regs 28-8-1700(d).</p> <p>"School age child" and "youth" mean an individual who is of kindergarten age through the academic year in which the child is in the sixth grade and who is attending the drop-in program. Kan. Admin. Regs 28-8-1700(d).</p> <p>"School age youth" and "youth" means individual who meets the following conditions:</p> <ol style="list-style-type: none"> <li>(1) has completed sixth grade or is 12 years of age or older;</li> <li>(2) is less than 18 years of age;</li> <li>(3) is attending the program; and</li> <li>(4) is not a volunteer or employee. Kan. Admin. Regs 28-8-1700(d).</li> </ol>	<p>Exclusions. The following shall not be considered child care facilities:</p> <ol style="list-style-type: none"> <li>(1) "Nonresidential school program," as defined in K.S.A. 72-2828, and amendments thereto, or a similar extended school day program that is conducted on the premises of an accredited non-public school, is attended only by pupils enrolled in the school in which the program is being conducted, and is staffed by certified elementary school teachers;</li> <li>(2) "Summer program," as defined in K.S.A. 72-2823, and amendments thereto;</li> <li>(3) an instructional class or activity in which a child or youth is enrolled for the purpose of participating in only one specific subject or skill building area, including religious instruction in a specific doctrine or tenet, academic or remedial instruction, a basketball clinic, a baseball clinic, dance or drama class, or a class in martial arts;</li> <li>(4) a program of activities that serves exclusively school-age youth and that is not required to be licensed as specified in subsection (d) of this regulation;</li> <li>(5) a program of activities that serves exclusively youth who are 16 years of age and older; and</li> <li>(6) a program that is operated by a local unit of government or school district and that operates for no more than four consecutive hours per day or for no more than two consecutive weeks. Kan. Admin. Regs 28-8-1700(d).</li> </ol>
Preschool and Child Care Centers	<p>"Child care center" means a facility:</p> <ol style="list-style-type: none"> <li>(1) which provides care and educational activities for 13 or more children no less than 16 weeks of 16 years of age for more than three hours and less than 24 hours per day including day time, evening, and nighttime care; or</li> <li>(2) which provides before and after school care for school-age children. A facility may have fewer than 13 children and be licensed as a center if the program and building meet child care center regulations. Kan. Admin. Regs 28-8-420(d).</li> </ol> <p>"Preschool" means a facility:</p> <ol style="list-style-type: none"> <li>(1) which provides learning experiences for children who have not attained the age of eligibility to enter kindergarten as prescribed in K.S.A. 72-1107(c) and any amendments thereto, and who are 60 months of age or older;</li> <li>(2) which conducts sessions not exceeding three hours per session;</li> <li>(3) which does not enroll any child more than one session per day; and</li> <li>(4) which does not serve a meal. The term "preschool" shall include educational preschools, Montessori schools, nursery schools, church-sponsored preschools, and cooperatives. A facility may have fewer than 13 children and be licensed as a preschool if the program and facility meet preschool regulations. Kan. Admin. Regs 28-8-420(d).</li> </ol>	<ol style="list-style-type: none"> <li>(1) any person, being born, fire, association, or other organization desiring to conduct a child care center or preschool which will operate for more than four consecutive hours or more than one day per week that apply for a license on forms supplied by the Kansas department of health and environment.</li> <li>(2) in the case of licensing, preschool operations on the premises of private schools providing kindergarten through grade six shall be governed by Kansas statutes applicable to private schools. Kan. Admin. Regs 28-8-422(a).</li> </ol>
School Age Programs	<p>"School age program" and "program" mean a child care facility that serves exclusively school-age children and youth, but that is not licensed a drop-in program as defined in this regulation. Kan. Admin. Regs 28-8-1700(d).</p> <p>"School age child" and "youth" mean an individual who is of kindergarten age through the academic year in which the child is in the sixth grade and who is attending the program. Each school age child shall be included in the license capacity. Kan. Admin. Regs 28-8-1700(d).</p> <p>"School age youth" and "youth" means individual who meets the following conditions:</p> <ol style="list-style-type: none"> <li>(1) has completed sixth grade or is 12 years of age or older;</li> <li>(2) is less than 18 years of age;</li> <li>(3) is attending the program; and</li> <li>(4) is not a volunteer or employee. Kan. Admin. Regs 28-8-1700(d).</li> </ol>	<p>Exclusions. The following shall not be considered child care facilities:</p> <ol style="list-style-type: none"> <li>(1) "Nonresidential school program," as defined in K.S.A. 72-2828, and amendments thereto, or a similar extended school day program that is conducted on the premises of an accredited non-public school, is attended only by pupils enrolled in the school in which the program is being conducted, and is staffed by certified elementary school teachers;</li> <li>(2) "Summer program," as defined in K.S.A. 72-2823, and amendments thereto;</li> <li>(3) an instructional class or activity in which a child or youth is enrolled for the purpose of participating in only one specific subject or skill building area, including religious instruction in a specific doctrine or tenet, academic or remedial instruction, a basketball clinic, a baseball clinic, dance or drama class, or a class in martial arts;</li> <li>(4) a program of activities that serves exclusively school-age youth and that is not required to be licensed as specified in subsection (d) of this regulation;</li> <li>(5) a program of activities that serves exclusively youth who are 16 years of age and older; and</li> <li>(6) a program that is operated by a local unit of government or school district and that operates for no more than four consecutive hours per day or for no more than two consecutive weeks. Kan. Admin. Regs 28-8-1700(d).</li> </ol>
Miscellaneous		
Family Child Care Homes	<p>"Family child care home" is defined by 603.190 (84)(5), 821.6. Admin. Reg. 27100, Sec. 1(c).</p> <p>"Family child care home" means a place where the provider (a) operates day care or night care for six (6) or fewer children who are not the children, siblings, nephews, grandnieces, nieces, nephews, or children in legal custody of the provider. Ky. Rev. Stat. § 199.045(5).</p>	None.



Family and Group Child Care Homes	None	None
<b>Notes</b>		
<b>General Definitions/Exemptions</b>	Child care program, "child care program" means the systematic organization or arrangement of activities, personnel, materials, and equipment in a facility to promote the physical, intellectual, social, and emotional development of a child in the absence of the parent for a period of less than 24 hours a day. Minn. R. 9002.002, Subp. 7.	None
<b>Child Care Centers</b>	Center "center" means a facility in which a child care program is operated when the facility is not licensed by Minnesota Statutes, sections 245A.03, subdivision 2, and is not required to be licensed under parts 9002.0315 to 9002.0445 as a family or group family day care home. Minn. R. 9002.002, Subp. 7.	Exemptions effective until Jan. 1, 2018: This chapter does not apply to: 1. Residential or nonresidential programs that are provided to a person by an individual who is related unless the residential program is a child foster care placement made by a social services agency or a licensed child-placing agency, except as provided in subdivision 2a. 2. Residential programs that are provided to an unrelated individual who is a person from a single unrelated family. 3. Residential or nonresidential programs that are provided to adults who do not abuse chemicals or who do not have a chemical dependency, a mental illness, a developmental disability, a functional impairment, or a physical disability. 4. Short-term activities or work study programs that are certified by the commissioner of employment and economic development. 5. Programs operated by a public school for children 32 months or older. 6. Child residential program primarily for children that provide care or supervision for periods of less than three hours a day while the child's parent or legal guardian is in the same building as the residential program or present within another building that is directly contiguous to the building in which the nonresidential program is located. 7. Activities or programs licensed by the commissioner of health under section 245A.02. 8. Board and lodge facilities licensed by the commissioner of health that do not provide children's residential services under Minnesota Rules, chapter 21600, mental health or chemical dependency treatment. 9. Child care program for persons placed in a county or a licensed agency for legal adoption, unless the adoption is not completed within two years. 10. Programs licensed by the commissioner of corrections. 11. Child care programs for children in which the child's parent or legal guardian is in the same building as the residential program or present within another building that is directly contiguous to the building in which the nonresidential program is located. 12. Programs operated by a school as defined in section 220A.22, subdivision 4, NAC as defined in section 135.44, or ACJ as defined in section 135.44, whose primary purpose is to provide child care or services to school-age children. 13. Day care center residential program in which the child's parent or legal guardian is in the same building as the residential program or present within another building that is directly contiguous to the building in which the nonresidential program is located. 14. Unlicensed boarding care homes unless they provide care for two or more persons, whose primary diagnosis is mental illness or a developmental disability. 15. Programs for children such as scouting, 4-H, Girl Scouts, and sports and other programs, and nonresidential programs for children or provided for a consecutive total of less than 90 days in any 12-month period. 16. Residential programs for persons with mental illness, that are licensed or regulated. 17. Health and safety programs for children in which the child's parent or legal guardian is in the same building as the residential program or present within another building that is directly contiguous to the building in which the nonresidential program is located. 18. The religious instruction of school-age children, children on family islands, or child care programs of children by a church, congregation, or religious society during the period used by the church, congregation, or religious society for its regular worship. 19. Health and safety programs for adults with mental illness or children with a developmental disability. 20. Residential programs serving school-age children whose sole purpose is cultural or educational exchange, until the commissioner deems appropriate rules. 21. Residential programs serving school-age children in section 245C.42, subdivision 4, and family community support services as defined in section 245.44P, subdivision 17. 22. The placement of a child by a birth parent or legal guardian in a preadoption home for purposes of adoption as authorized by section 245.47. 23. Settings regulated under chapter 144C which provide home care services licensed by the commissioner of health to treat mental illness. 24. Chemical dependency or substance abuse treatment activities of licensed professionals in a private practice as defined in Minnesota Rules, part 9010.0405, subsection 1, when the treatment activities are not paid for the consolidated chemical dependency treatment fund.
<b>Family Child Care Homes and Group Family Day Care Homes</b>	Day care, "day care" means the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day. Minn. R. 9002.0315, Subp. 9. Family day care, "family day care" means day care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence. Minn. R. 9002.0316, Subp. 1a. Group family day care, "group family day care" means day care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence. Minn. R. 9002.0315, Subp. 1b.	Exclusion from licensure under Minnesota Statutes, section 245A.02, the following day care situations are excluded from licensure under parts 9002.0315 to 9002.0445: A. day care provided to a child in a single, unrelated family, for any length of time; or B. day care provided for a consecutive total of less than 30 days in any 12-month period; or C. the exclusions contained in item B and A are mutually exclusive. Minn. R. 9002.0326, Subp. 3.
<b>Notes</b>		
<b>Child Care Facilities for 12 or Fewer Children</b>	Child care facility (limited). A center that provides child care and provides care for six or more children who are not related within the first degree computed according to the definition in the operator and who are under 13 years of age, for any part of the 24-hour day, whether such place is organized or operated for profit or not. The term "child care facility" includes day nurseries, day care centers, child care centers, preschool programs, and any other facility that falls within the scope of the definition set forth above. 15-2 M.S. Code R. 9.1.1.4(1).	EXEMPTION: To the extent provided by law, including those facilities or programs which satisfy one or more of the requirements for exemption provided in Minn. Code Ann. § 9.1.20-50a, an exemption from the provisions of the Act shall be recognized by the licensing agency. Facilities or programs claiming exemption shall be required, upon the written request of the licensing agency, to provide documentation of the facts claimed to support the basis for the exemption, which documentation shall be provided within 30 days of the request by the licensing agency. Such documentation shall be sworn by affidavit to be true and accurate under the penalties of perjury. 15-2 M.S. Code R. 9.1.1.4(2).
<b>Child Care Facilities</b>	Child care facility (full). A place which provides child care and provides care for six or more children who are not related within the first degree computed according to the definition in the operator and who are under 13 years of age, for any part of the 24-hour day, whether such place is organized or operated for profit or not. The term "child care facility" includes day nurseries, day care centers, child care centers, preschool programs, and any other facility that falls within the scope of the definition set forth above. 15-1 M.S. Code R. 9.1.1.4(4).	EXEMPTION: To the extent provided by law, including those facilities or programs which satisfy one or more of the requirements for exemption provided in Minn. Code Ann. § 9.1.20-50a, an exemption from the provisions of the Act shall be recognized by the licensing agency. Facilities or programs claiming exemption shall be required, upon the written request of the licensing agency, to provide documentation of the facts claimed to support the basis for the exemption, which documentation shall be provided within 30 days of the request by the licensing agency and shall be sworn by affidavit to be true and accurate under the penalties of perjury. However, any entity exempt from the requirements to be licensed but voluntarily chooses to obtain a license is subject to all provisions of the licensing law and these regulations. 15-1 M.S. Code R. 9.1.1.4(4).
<b>Child Residential Homes</b>	Child residential home. Any place, facility or home operated by any person which receives children who are not related to the operator and whose parents or guardians are not residents of the same facility for supervision, care, lodging and maintenance for 24 hours a day, with or without transfer of custody. 15-3 M.S. Code R. 9.1.1.4(6).	The term "Child Residential Home" shall not include: 1. Residential homes which are licensed by the Mississippi Department of Human Services under the provisions of §45-17-5, Mississippi Code of 1972 (such facility shall however be known as a Residential Child-Caring Agency); 2. Any public school; 3. Any private care operated by a foster agency; 4. Child care facilities as defined in §§4-5-5, Mississippi Code of 1972; 5. A child care institution as defined in §95-7-6, Mississippi Code of 1972; or 6. Health care facilities licensed by the Department of Health. 15-3 M.S. Code R. 9.1.1.4(4). To be exempt from MDSH licensure and eligible to register with the MDSH, a Child Residential Home shall: 1. Operate under the auspices of a religious institution; 2. Be a not-for-profit organization, having as its principal purpose the provision of child care services, either in an arrangement with a well-known religious institution in the maintenance or operation of a day care facility, the facility is not under the exclusive control of the well-known religious order and does not qualify for exemption from licensure under sections 202-215, RMAs; 3. If the parent(s) operating the facility claims exemption from licensure, s/he shall inform the department to make a determination of exemption prior to opening. Facilities may waive the right to apply for exemption and request voluntary licensure. These facilities shall comply with all licensing rules. Minn. Code Reg. 16, 30-02-0215.
<b>Youth Camp</b>	Youth camp means any camp operating on a permanent campus for four (4) or more consecutive periods of twenty-four (24) hours and accommodating twenty (20) or more children six (6) to eighteen (18) years of age. 15-4 M.S. Code R. 9.1.1.1(1).	Youth camps means... provided, however, athletic camps and hunting and fishing camps shall not be included in the definition. 14-8 M.S. Code R. 4.1.1.1(1).
<b>Notes</b>		
<b>General Definitions/Exemptions</b>	A day care facility or facility is a day care home, day care center or group day care home. Minn. Code Regs. 16, 30, §9.04(1)(2)(7), 30-02-0205.	None
<b>Family Day Care Homes</b>	A family day care home or home, whether licensed or incorporated under another title or name, is a child care program where care is given by a person licensed as a family day care home provider for no more than 10(10) children not related to the provider for any part of the twenty-four (24) hour day. The provider may be licensed to operate no more than one (1) family day care home or group day care home. Minn. Code Regs. 16, 30, §9.04(1)(2)(6), 30-02-0205.	<b>Exemption of Day Care Facilities</b> PURPOSE: This rule defines the basis on which a family day care home may qualify for exemption from licensure. (1) A day care facility does not qualify for exemption from licensure unless it is under the exclusive control of an entity qualifying for exemption under section 202-211, RMAs. (2) When a nonreligious organization, having as its principal purpose the provision of child care services, enters into an arrangement with a well-known religious institution in the maintenance or operation of a day care facility, the facility is not under the exclusive control of the well-known religious order and does not qualify for exemption from licensure under sections 202-215, RMAs. (3) If the parent(s) operating the facility claims exemption from licensure, s/he shall inform the department to make a determination of exemption prior to opening. Facilities may waive the right to apply for exemption and request voluntary licensure. These facilities shall comply with all licensing rules. Minn. Code Reg. 16, 30, §9.04-0215.
<b>Group Child Care Homes and Child Care Centers</b>	A child care day care center or center, whether licensed or incorporated under another title or name, is a child care program conducted in a location other than the provider's permanent residence or separate from the provider's living quarters, where care is provided for child care not related to the child care provider for any part of the twenty-four (24) hour day. Minn. Code Regs. 16, 30, §9.04(1)(2)(5), 30-02-0205. A group day care home, whether licensed or incorporated under another title or name, is a child care program where care is given by a person licensed as a group day care home provider for eleven (11) or more than eleven (11) children not related to the child care provider, for any part of the twenty-four (24) hour day. A group day care home shall be a location other than the provider's permanent residence or separate from the provider's living quarters. The provider may be licensed to operate no more than one (1) group day care home or family day care home. Minn. Code Regs. 16, 30, §9.04(1)(2)(1), 30-02-0205(1).	<b>Exemption of Day Care Facilities</b> PURPOSE: This rule defines the basis on which a group day care home or a child day care center may qualify for exemption from licensure. (1) A day care facility does not qualify for exemption from licensure unless it is under the exclusive control of an entity qualifying for exemption under section 202-211, RMAs. (2) When a nonreligious organization, having as its principal purpose the provision of child care services, enters into an arrangement with a well-known religious institution in the maintenance or operation of a day care facility, the facility is not under the exclusive control of the well-known religious order and does not qualify for exemption from licensure under sections 202-215, RMAs. (3) If the parent(s) operating the facility claims exemption from licensure, s/he shall inform the department to make a determination of exemption prior to opening. Facilities may waive the right to apply for exemption and request voluntary licensure. These facilities shall comply with all licensing rules. Minn. Code Reg. 16, 30, §9.04-022.
<b>Licensed Exempt Child Care Facilities</b>	Licensed exempt facility or facility is a nursery school not operated by a religious organization or a child care operation run by a religious organization. Minn. Code Regs. 16, 30, §9.04(1)(3)(1)(i).	None
<b>Notes</b>		
<b>General Definitions/Exemptions</b>	"Day care" or "child care" means care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular basis for daily periods of less than 24 hours, whether care is for daycare or overnight hours. In addition to the definitional language found at 9.1-202, MCA, the term also means care in a child care facility for the age of 12 years except as indicated otherwise in these rules. Minn. Admin. R. 37.95.0226. "Day care facility" means a person, association or place, incorporated or unincorporated, that provides, day care on a regular basis, on a regular basis or registered to provide day care on a regular basis, for children suffering from illness. It includes a family day care home, a day care center, a group day care home, or a facility providing care in a child's home for the purpose of meeting registration requirements for the receipt of payments as provided in 52-3-713, MCA. Minn. Admin. R. 37.95.0226.	The term does not include care by a relative, unless registration or licensure as a day care facility is required to receive payments as provided in 52-2-211, MCA. Minn. Admin. R. 37.95.0206. The term does not include: A. day care provided to children who are related to the parent by blood or marriage or under the parent's legal guardianship, unless registration or licensure as a day care facility is required to receive payments as provided in 52-2-713, MCA; or B. day care facility established chiefly for educational purposes that limits its services to children who are 3 years of age or older, in addition to the previous definitional language found at 52-2-703, MCA, the term also does not include a person caring for the children of a single family, or a person, not receiving any type of day care payments for day care, who is caring for children in the parent's own home. In addition to the children being cared for in their own home, there may be no more than 2 children from another home being cared for by the same provider. Minn. Admin. R. 37.95.0226.
<b>Child Day Care Centers</b>	"Day care center" means a facility in which day care is provided to 12 or more children on a regular basis. Minn. Admin. R. 37.95.0202.	See definitions and exemptions of "Day care" and "Day care facility" above.
<b>Family and Group Day Care Homes</b>	"Family day care home" means a private residence in which day care is provided to three or less children on a regular basis. In addition to the previous definitional language found at 52-2-703, MCA, the term also means a day care facility providing care to no more than nine children under two years of age unless care is provided exclusively for children under age two. Family day care home means a place in which supplemental parental care is provided for up to four children under the age two. No other children shall be in attendance. Minn. Admin. R. 37.95.0212. "Group day care home" means a private residence or other structure in which day care is provided to seven to 12 children on a regular basis. In addition to the previous definitional language found at 52-2-703, MCA, the term also means a day care facility providing care to seven to 12 children with no more than six children under two years of age, unless care is provided exclusively for children under age two. Facilities providing day care home under age two shall maintain a staff-to-child ratio of one caregiver for each four infants in attendance. Facilities providing exclusively for children under age two shall maintain a staff-to-child ratio of one caregiver for each four infants in attendance. Facilities may provide care to more than two children under the age of two years while caring for children over two years of age when only one caregiver is present. Minn. Admin. R. 37.95.0212(i).	See definitions and exemptions of "Day care" and "Day care facility" above.
<b>Notes</b>		
<b>General Definitions/Exemptions</b>	Child care means the care and supervision of children in two or more care and supervision and include programs. See definition of program.) 391 Neb. Admin. Code §§ 1-002, 2-002, 3-002, 4-002, 5-002. Program means the provision of services in lieu of parental supervision: 1. For children under 13 years of age; 2. For compensation, either directly or indirectly; and 3. On the average less than 12 hours per day, but more than two hours per week. Program includes, any employer-sponsored child care, family child care home, child care center, school-age child care program, school-age services under Neb. Rev. Stat. §79-1104, or preschool or nursery school. 391 Neb. Admin. Code §§ 1-002, 2-002, 3-002, 4-002, 5-002.	None
<b>Child Care Center</b>	Child care center means a child care program licensed to provide child care for 13 or more children. 391 Neb. Admin. Code § 3-002.	The following are exempt from mandatory licensure, but may be voluntarily licensed: 1. Any person who provides child care; 2. On an irregular, informal basis and with an established pattern of occurrence; 3. Without care by the parents and who receive no form of compensation; 4. To three or fewer children at any one time, except by a person whose home has been inspected or visited; 5. Nonresidential camps as defined in Neb. Rev. Stat. § 79-1103, a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in Neb. Rev. Stat. § 31-304; 6. Closure or services provided by a religious organization other than child care or a preschool or nursery school; 7. A preschool program conducted in a school approved under Neb. Rev. Stat. §79-1104; 8. Programs operated or contracted by a public school district and subject to the rules and regulations of the State Department of Education under Neb. Rev. Stat. §79-1104; 9. Services provided only to children under the age of three during the summer and other extended breaks in the school year; 10. Care provided only to children 13 years of age or older; 11. Care provided for less than two hours per week on average; 12. Foster care as defined in Neb. Rev. Stat. § 71-101; 13. Care provided for grandparents to only grand-grandchildren; 14. Care provided on federal military installations; 15. Care provided on Indian reservations by Native Americans; or 16. Care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 Neb. Admin. Code § 3-001.02.

Family Child Care Home I	Family Child Care Home I means a child care program in the licensee's residence which is licensed to serve at least four but not more than eight children, except that a licensee may be approved to serve up to one additional school-age child during non-school hours if no more than two of the other children in care are under 18 months of age. N.J. Admin. Code § 17:27-2.02.	<p>The following are exempt from mandatory licensure, but may be voluntarily licensed:</p> <ol style="list-style-type: none"> <li>Any person who provides child care.</li> <li>On an irregular, informal basis and with an established pattern of occurrence;</li> <li>Without care to the parents and who receives no form of compensation;</li> <li>To three or fewer children at any one time, except by a person whose license has been suspended or revoked;</li> <li>Recreation camps as defined in N.J. Admin. Code § 17:27-2.02; a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in N.J. Admin. Code § 17:27-2.04;</li> <li>Camps or services provided by a religious organization other than child care at a preschool or nursery school;</li> <li>A preschool program conducted in a school approved under N.J. Admin. Code § 17:27-2.10;</li> <li>Programs operated or contracted by a public school district and subject to the rules and regulations of the State Department of Education under N.J. Admin. Code § 17:27-2.10-1;</li> <li>Services provided only to school-age children during the summer and other extended breaks in the school year;</li> <li>Child care provided only to children 13 years of age or older;</li> <li>Child care provided for less than two hours per week on average;</li> <li>Family care as defined in N.J. Admin. Code § 17:27-2.02;</li> <li>Child care provided by grandparents to only their grandchildren;</li> <li>Child care provided on Indian military installations;</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> </ol>
Family Child Care Home II	Family Child Care Home II means a child care program in the licensee's residence or another location which is licensed to serve at least four but not more than 12 children. 391 N.J. Admin. Code § 17:27-2.03.	<p>The following are exempt from mandatory licensure, but may be voluntarily licensed:</p> <ol style="list-style-type: none"> <li>Any person who provides child care.</li> <li>On an irregular, informal basis and with an established pattern of occurrence;</li> <li>Without care to the parents and who receives no form of compensation;</li> <li>To three or fewer children at any one time, except by a person whose license has been suspended or revoked;</li> <li>Recreation camps as defined in N.J. Admin. Code § 17:27-2.02; a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in N.J. Admin. Code § 17:27-2.04;</li> <li>Camps or services provided by a religious organization other than child care at a preschool or nursery school;</li> <li>A preschool program conducted in a school approved under N.J. Admin. Code § 17:27-2.10;</li> <li>Programs operated or contracted by a public school district and subject to the rules and regulations of the State Department of Education under N.J. Admin. Code § 17:27-2.10-1;</li> <li>Services provided only to school-age children during the summer and other extended breaks in the school year;</li> <li>Child care provided only to children 13 years of age or older;</li> <li>Child care provided for less than two hours per week on average;</li> <li>Family care as defined in N.J. Admin. Code § 17:27-2.02;</li> <li>Child care provided by grandparents to only their grandchildren;</li> <li>Child care provided on Indian military installations;</li> <li>Child care provided on Indian reservations by Native Americans; or</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> </ol>
Preschool	Preschool means a special day early childhood program for children ages three and four that provides primarily education services and where children do not nap and are not served a meal. 391 N.J. Admin. Code § 17-02.	<p>The following are exempt from mandatory licensure, but may be voluntarily licensed:</p> <ol style="list-style-type: none"> <li>Any person who provides child care.</li> <li>On an irregular, informal basis and with an established pattern of occurrence;</li> <li>Without care to the parents and who receives no form of compensation;</li> <li>To three or fewer children at any one time, except by a person whose license has been suspended or revoked;</li> <li>Recreation camps as defined in N.J. Admin. Code § 17:27-2.02; a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in N.J. Admin. Code § 17:27-2.04;</li> <li>Camps or services provided by a religious organization other than child care at a preschool or nursery school;</li> <li>A preschool program conducted in a school approved under N.J. Admin. Code § 17:27-2.10;</li> <li>Programs operated or contracted by a public school district and subject to the rules and regulations of the State Department of Education under N.J. Admin. Code § 17:27-2.10-1;</li> <li>Services provided only to school-age children during the summer and other extended breaks in the school year;</li> <li>Child care provided only to children 13 years of age or older;</li> <li>Child care provided for less than two hours per week on average;</li> <li>Family care as defined in N.J. Admin. Code § 17:27-2.02;</li> <li>Child care provided by grandparents to only their grandchildren;</li> <li>Child care provided on Indian military installations;</li> <li>Child care provided on Indian reservations by Native Americans; or</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> </ol>
School-Age-Only Center	These regulations apply to School-Age-Only Child Care Centers, which are licensed to provide a child care program for 13 or more children who attend kindergarten or above. A school-age center may be located in the licensee's residence or another location. 391 N.J. Admin. Code § 4-02.02.	<p>The following are exempt from mandatory licensure, but may be voluntarily licensed:</p> <ol style="list-style-type: none"> <li>Any person who provides child care.</li> <li>On an irregular, informal basis and with an established pattern of occurrence;</li> <li>Without care to the parents and who receives no form of compensation;</li> <li>To three or fewer children at any one time, except by a person whose license has been suspended or revoked;</li> <li>Recreation camps as defined in N.J. Admin. Code § 17:27-2.02; a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in N.J. Admin. Code § 17:27-2.04;</li> <li>Camps or services provided by a religious organization other than child care at a preschool or nursery school;</li> <li>A preschool program conducted in a school approved under N.J. Admin. Code § 17:27-2.10;</li> <li>Programs operated or contracted by a public school district and subject to the rules and regulations of the State Department of Education under N.J. Admin. Code § 17:27-2.10-1;</li> <li>Services provided only to school-age children during the summer and other extended breaks in the school year;</li> <li>Child care provided only to children 13 years of age or older;</li> <li>Child care provided for less than two hours per week on average;</li> <li>Family care as defined in N.J. Admin. Code § 17:27-2.02;</li> <li>Child care provided by grandparents to only their grandchildren;</li> <li>Child care provided on Indian military installations;</li> <li>Child care provided on Indian reservations by Native Americans; or</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> <li>Child care provided by non-Native Americans on Indian reservations when tribal authorities have assumed jurisdiction for regulating the care. 391 N.J. Admin. Code § 1-2.01-02.</li> </ol>
License	<p>"Child care facility" has the meaning ascribed to it in NJS 17:27-2.02. N.J. Admin. Code § 17:27-2.02.</p> <p>"Child care facility" means:</p> <ol style="list-style-type: none"> <li>An establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis, during the day or evenings, to two or more children under 18 years of age.</li> <li>Facilities which are child care facilities;</li> <li>A child care institution; or</li> <li>An outdoor youth program. N.J. Admin. Code § 17:27-2.02(1).</li> </ol> <p>"Child care institution" has the meaning ascribed to it in NJS 17:27-2.02. N.J. Admin. Code § 17:27-2.02.</p> <p>"Child care institution" means a facility which provides care and shelter during the day and night and provides developmental guidance to 16 or more children who do not routinely return to the homes of their parents or guardians. Such an institution may also provide, without limitation:</p> <ol style="list-style-type: none"> <li>Education to the children according to a curriculum approved by the Department of Education;</li> <li>Services to children who have been diagnosed as severely emotionally disturbed as defined in NJS 17:27-2.02, including, without limitation, services relating to mental health and education; or</li> <li>Emergency shelter to children who have been placed in protective custody pursuant to Chapter 122A of NJS. N.J. Admin. Code § 17:27-2.02(1).</li> </ol> <p>"Outdoor youth program" has the meaning ascribed to it in NJS 17:27-2.02. N.J. Admin. Code § 17:27-2.02.</p> <p>"Outdoor youth program" means a program for the provision of services, while being provided, to persons under 18 years of age who have behavioral problems, problems with mental health or problems with the abuse of alcohol or drugs. N.J. Admin. Code § 17:27-2.02.</p>	<p>"Child care facility" does not include:</p> <ol style="list-style-type: none"> <li>The home of a natural parent or guardian, foster home as defined in NJS 17:27-2.02 or mother's home;</li> <li>A home in which the only children residing, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the person operating the facility;</li> <li>A home in which a person provides care to the children of a household together for not more than 4 weeks if the person who provides the care does not regularly engage in that activity;</li> <li>A location at which an out-of-school-line program is operated;</li> <li>A location at which a recreational program is operated;</li> <li>An out-of-school-recreation program. N.J. Admin. Code § 17:27-2.02(1).</li> </ol> <p>"Outdoor youth program" does not include any facility, activity or program:</p> <ol style="list-style-type: none"> <li>Operated by an agent of a governmental entity; or</li> <li>Licensed by the Division of the Department. N.J. Admin. Code § 17:27-2.02.</li> </ol>
Child Care Centers	"Child care center" means any facility in which the licensee regularly provides day or night care for more than 12 children and which is developmentally appropriate for those children. N.J. Admin. Code § 17:27-2.02.	See exemptions for "Child care facility" above.
Family Homes and Group Homes	<p>"Family home" means any facility in which the licensee regularly provides care without the presence of parents, for at least five and not more than six children. N.J. Admin. Code § 17:27-2.02.</p> <p>"Group home" means any facility in which the licensee regularly provides care for no less than seven and no more than twelve children. N.J. Admin. Code § 17:27-2.02.</p>	A group home is not required to be licensed as a nursery for infants and toddlers if the licensee does not provide care for more than eight children who are under 3 years of age. N.J. Admin. Code § 17:27-2.02.
New Initiatives		
General Definitions/Exemptions	<p>"Child care center" means "child care center" as defined in RSA 170-C:2, II, namely "the care and supervision of a child away from the child's home and apart from the child's parents." N.J. Code Admin. R. 17:27-2.02.</p>	<p>Exemptions: Child Development Program - The definitions in RSA 170-C:2, IV child day care, family day care home, family day care home, and school-age program shall not apply to the following:</p> <ol style="list-style-type: none"> <li>Outreach, parent school, or any other day care program operated by a public or private elementary or secondary school system or institution of higher learning;</li> <li>Programs offering instruction to children, including but not limited to athletics, arts, music, or dance, the purpose of which is the teaching of a skill;</li> <li>Programs in which any number of the provider's own children, whether related by blood or through adoption, and up to 4 additional children are cared for regularly for any part of the day, but less than 24 hours, unless the caregiver elects to comply with the provisions of this chapter and be licensed;</li> <li>Child care services offered in conjunction with religious services attended by the parent or offered solely for the purpose of religious instruction;</li> <li>Facilities operated as a complementary and integral service for the benefit of the general public in connection with a shopping center, an area, banking office, or other similar operation where the parents or custodians of the serviced children are on the premises in the immediate vicinity and are readily available;</li> <li>Managers' recreation programs, including after-school summer recreation programs;</li> <li>Any recreational program as defined in RSA 170-C:2, 2, b.</li> <li>Private homes in which the only children in care are the provider's own children, children related to the provider, and children residing with the provider. If persons attending programs exempted from licensing pursuant to this section shall be subject to the provisions of RSA 170-C:2, II, N.J. Code Admin. R. 17:27-2.02.</li> </ol>
Center-based Programs	<p>"Center-based program" means any program owned and operated by one applicant which is not licensed as a family or family group child care home and is licensed to provide any of the following types of childcare:</p> <ol style="list-style-type: none"> <li>Group child care center;</li> <li>Infant/toddler program;</li> <li>Night-care program;</li> <li>Preschool program;</li> <li>School-age program;</li> <li>Any combination thereof. N.J. Code Admin. R. 17:27-2.02(1).</li> </ol> <p>"Full day school program" means a kindergarten or elementary school program which operates more than 5 hours each day, and is administered by a public or private school which is approved by the department of education. N.J. Code Admin. R. 17:27-2.02(1).</p> <p>"Group child care center" means "group child care center" as defined in RSA 170-C:2, IV, namely "a child day care agency in which child day care is provided for preschool children and up to school-age children, whether or not the services are known as day nurseries, nursery school, kindergarten, cooperative, child development center, day care center, center for the developmentally disabled, progressive school, Montessori school, or by any other name." N.J. Code Admin. R. 17:27-2.02(1).</p>	See general exemptions above.
Family Child Care Homes and Family Group Child Care Homes	<p>"Family child care home" means "family day care home" as defined in RSA 170-C:2, IV(a), namely "an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 12 children from one or more unrelated families. The children shall include any foster children residing in the home and all children related to the caregiver, except children who are 12 years of age or older. In addition to the 12 children, up to 1 child on attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays." N.J. Code Admin. R. 17:27-2.02(1).</p> <p>"Family group child care home" means "family group day care home" as defined in RSA 170-C:2, IV(b), namely "an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 12 children from one or more unrelated families. The children shall include all children related to the caregiver and any foster children residing in the home, except children who are 12 years of age or older. In addition to the 12 children, up to 1 child on attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays." N.J. Code Admin. R. 17:27-2.02(1).</p>	See general exemptions above.
Miscellaneous		



<b>Child Care Centers</b>  <b>Family Child Care</b>  <b>New York</b> <b>Non-Licensed Family Child Care Homes</b>	<p><b>"Child care center" or "center"</b> means any home or facility, by whatever name known, which is maintained for the care, development, or supervision of six or more children under 13 years of age who attend for less than 24 hours a day.</p> <p>1. For a facility that is located in an operator's or sponsor representative's home, the Office of Children's Services shall not count the child's residence as the operator's or sponsor representative's home in determining whether the facility is serving the minimum number of children that would require it to be licensed as a center. N.Y. Admin. Code § 245.42-1.2(a).</p> <p>The term "Child care center" shall include, but not be limited to, day care centers, drop-in centers, eight hours centers, recreation-type centers sponsored and operated by a voluntary or municipal government recreation or park department, day nurseries, nursery and pre-kindergarten, cooperative child centers, centers for children at public libraries, centers serving sick children, after-school programs, school-age child care programs, employment-related centers, centers that have been licensed by the Department of Human Services prior to the enactment of the Child Care Center Licensing Act of 1988, and independent and pre-kindergarten and pre-k centers that are not an integral part of a private educational institution or sponsor offering elementary education in grades kindergarten through sixth. N.Y. Admin. Code § 245.42-1.2(b).</p> <p><b>Family Child Care</b> means the private residence of the family child care provider in which child care services are provided to no fewer than three and no more than six children at any one time for no more than 13 hours per week, except that the Department shall exclude a family child care home with fewer than three children from licensing registration. N.Y. Admin. Code § 245.42-1.2.</p>	<p>The term "child care center" shall not include the following programs, where they do not meet the definition of a child care center:</p> <p>1. A program serving fewer than six children who are below 13 years of age.</p> <p>2. A program, such as that located in a bowling alley, health spa or other facility, in which:</p> <p>A. Each child attends an activity for no more than two hours and</p> <p>B. The parent of each child attending the program is in the same building, is readily accessible at all times on an on-call basis, and is able to receive control of the child immediately;</p> <p>3. A child care program operated from a single-family residence or facility that is owned or operated by the Federal Government;</p> <p>4. A family day care home that is registered pursuant to the Family Day Care Provider Regulation Law, N.Y. S. 3058-16-1(a);</p> <p>5. Programs that are activities or activities that are not an integral part of a "open door" facility, where there is no agreement, written or implied, between the program and the parent for the program to ensure responsibility for the care of the child; and</p> <p>6. A program offering religious instruction, such as during emergency school closings, conferences, or training sessions. N.Y. Admin. Code § 245.42-1.2(c).</p> <p>The following programs are exempt from licensure pursuant to the law specified in N.Y. S. 3058-16-1(a):</p> <p>1. Programs operated by the board of education of a local public school district which is responsible for their administration and management;</p> <p>2. Kindergarten, pre-kindergarten programs, or child care centers that are operated by, and are an integral part of, a private educational institution or system providing elementary education in grades kindergarten through sixth;</p> <p>3. For purposes of this paragraph, operation of a private educational institution or system shall require either operation and payment of staff by the operating institution or system.</p> <p>For purposes of this paragraph, a program is an integral part of a private educational institution or system of the program and the institution or system can reasonably demonstrate integration of the program based on geographic proximity, continuity of enrollment, and continuation of enrollment between the program and the institution or system, commensurate with the nature and level of the services provided;</p> <p>4. Centers or special classes operated:</p> <p>1. Primarily for religious instruction. To qualify for an exemption from licensing under this paragraph, a center or special class must:</p> <p>(a) be an integral part of a house of worship or religious institution;</p> <p>(b) be a program that is a component primarily of religious instruction in which the curriculum is related to religious themes, stories, or teachings; and</p> <p>(c) be for children under six years of age, operated and provide religious instruction for no more than two hours on any day;</p> <p>5. For the temporary care of children while parents responsible for such children are attending religious services. To qualify for an exemption from licensure under this provision, a center or special class must:</p> <p>(a) provide care for the children of participants in religious services that are an integral part of a house of worship or religious institution;</p> <p>(b) be arranged by and responsible to the church or religious, and</p> <p>(c) be an integral part of the church or religious; or</p> <p>6. Programs of organized activities or instruction for children that are not designed or intended for child care purposes, including, but not limited to: Boy Scouts, Girl Scouts, 4-H Clubs, Junior Achievement, and commercial outdoor playground or sports centers where parents remain with their school children; and single activity programs.</p>
<b>New York</b> <b>Non-Licensed Family Child Care Homes</b>	<p><b>"Registered family child care home"</b> means the residence of an independent primary caregiver who registers this home under these regulations to participate in the child and adult care food program or in the state and federal child care assistance programs. N.Y. Code § 245.42-2.3(f).</p> <p><b>"Registered family child care food only home"</b> means the residence of an independent primary caregiver who registers the home under these regulations to participate in the child and adult care food program only and does not participate in the state and federal child care assistance programs. N.Y. Code § 245.42-2.3(f).</p>	<p><b>"Center caregiver"</b> means a child care center primary caregiver who is exempt from participating in the CDDP because he or she is caring only for resident children or does not provide child care during the hours when a meal (brunch, lunch or dinner) is served. N.Y. Code § 245.42-2.3(g).</p>
<b>Child Care Centers</b>	<p><b>"Child care center"</b> means a facility required to be licensed under these regulations that provides care, services, and supervision for less than 24 hours a day to children. A child care center is a non-residential setting and meets the applicable state and local building and safety laws. N.Y. Code § 245.42-1.3.</p>	<p>These regulations do not apply to any of the following:</p> <p>A. Facilities providing child care for 24 hours in a continuous basis. Such facilities are covered by other regulations promulgated by the children, youth and families department that are available upon request from the licensing authority.</p> <p>B. Child care facilities operated by the Federal Government or a tribal government.</p> <p>C. Child care facilities operated by a public school system or government by the local school board.</p> <p>D. Private schools accredited or recognized by the New Mexico department of education, operated for educational purposes only for children age five years or older.</p> <p>E. Child care facilities provided exclusively for children of parents who are simultaneously present in the same premises.</p> <p>F. Summer religious schools held at a church, religious building or house of worship premises.</p> <p>G. Summer camps, wilderness camps, and programs operated for recreational purposes only by recognized organizations such as churches, schools, and the Boy and Girl Scouts, provided such camps and programs are not conducted in private residences.</p> <p>H. Any individual who is their own home provides care, services and supervision to four or fewer non-resident children.</p> <p>I. Parent's day out programs held at a church, religious building or house of worship, or public building operating for no more than eight hours per week and no more than four hours on any given day. The program will be staffed by parents participating in the program, or by others who are members of the church or public affiliation. N.Y. Code § 245.42-1.3.</p>
<b>Family Child Care Homes and Group Child Care Homes</b>	<p><b>"Family child care home"</b> means a private dwelling required to be licensed under these regulations that provides care, services, and supervision for a profit of less than 24 hours on any day for no more than six children. The licensee will register this home and the primary caregiver. N.Y. Code § 245.42-2.3(a).</p> <p><b>"Group child care home"</b> means a home required to be licensed pursuant to these regulations, which provides care, services, and supervision for at least seven but not more than 12 children. The licensee will reside in the home to be the primary caregiver. N.Y. Code § 245.42-2.3(c).</p>	<p>These regulations do not apply to any of the following:</p> <p>A. Facilities providing child care for 24 hours in a continuous basis. Such facilities are covered by other regulations promulgated by the children, youth and families department that are available upon request from the licensing authority.</p> <p>B. Child care facilities operated by the Federal Government or a tribal government.</p> <p>C. Child care facilities operated by a public school system or government by the local school board.</p> <p>D. Private schools accredited or recognized by the New Mexico department of education, operated for educational purposes only for children age five years or older.</p> <p>E. Child care facilities provided exclusively for children of parents who are simultaneously present in the same premises.</p> <p>F. Summer religious schools held at a church, religious building or house of worship premises.</p> <p>G. Summer camps, wilderness camps, and programs operated for recreational purposes only by recognized organizations such as churches, schools, and the Boy and Girl Scouts, provided such camps and programs are not conducted in private residences.</p> <p>H. Any individual who is their own home provides care, services and supervision to four or fewer non-resident children.</p> <p>I. Parent's day out programs held at a church, religious building or house of worship, or public building operating for no more than eight hours per week and no more than four hours on any given day. The program will be staffed by parents participating in the program, or by others who are members of the church or public affiliation. N.Y. Code § 245.42-1.3.</p>
<b>Child of School-Tier Care</b>	<p><b>"Child of school-tier program"</b> means a school-age program at a specific facility, usually a school or community center, offering on a consistent basis a variety of developmentally appropriate activities that are both educational and recreational. N.Y. Code § 245.42-2.3(f).</p>	<p>These regulations do not apply to any of the following:</p> <p>A. Facilities providing child care for 24 hours in a continuous basis. Such facilities are covered by other regulations promulgated by the children, youth and families department that are available upon request from the licensing authority.</p> <p>B. Child care facilities operated by the Federal Government or a tribal government.</p> <p>C. Child care facilities operated by a public school system or government by the local school board.</p> <p>D. Private schools accredited or recognized by the New Mexico department of education, operated for educational purposes only for children age five years or older.</p> <p>E. Child care facilities provided exclusively for children of parents who are simultaneously present in the same premises.</p> <p>F. Summer religious schools held at a church, religious building or house of worship premises.</p> <p>G. Summer camps, wilderness camps, and programs operated for recreational purposes only by recognized organizations such as churches, schools, and the Boy and Girl Scouts, provided such camps and programs are not conducted in private residences.</p> <p>H. Any individual who is their own home provides care, services and supervision to four or fewer non-resident children.</p> <p>I. Parent's day out programs held at a church, religious building or house of worship, or public building operating for no more than eight hours per week and no more than four hours on any given day. The program will be staffed by parents participating in the program, or by others who are members of the church or public affiliation. N.Y. Code § 245.42-1.3.</p>
<b>New York</b> <b>General Definitions/Exemptions</b>	<p>None.</p>	<p><b>Waiver</b></p> <p>(a) An action waiver of one or more non-licensure requirements of this Part of § 245.42, 416, 417 or 418 may be issued by the Office to an applicant or a licensee or registrant at the time of application or subsequent to the issuance of a license or registration. Licensees or registrants must operate in full compliance with the regulations at all times prior to the issuance of a written waiver.</p> <p>(b) An applicant or licensee or registrant must submit to the Office a written request for a waiver or form provided by the Office. An approved exemption. This written application must include:</p> <p>(i) the specific regulation to which a waiver is sought;</p> <p>(ii) the reason for the waiver; and</p> <p>(iii) a description of what the licensee will do to achieve or maintain the intended purpose of the regulation and to protect the health, safety, and well-being of children.</p> <p>(c) The Office may require the applicant, licensee or registrant to make physical plan modifications or adopt other methods or procedures to protect the health, safety and well-being of children before a waiver is granted pursuant to this subdivision.</p> <p>(d) Written approval for a waiver will not grant an applicant or registrant the right to operate without the health, safety or well-being of children, and the purpose of the regulation which is waived will not. Waivers may be limited, and the discretion of the Office.</p> <p>(e) If the written application for a waiver is not approved, the licensee or registrant must be notified of the reasons and must provide sufficient cause for the Office to deny, suspend, or revoke a license or registration. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.4.</p>
<b>Child Day Care</b>	<p><b>Child day care</b> means care for a child or regular basis provided away from the child's residence for less than 24 hours per day by someone other than the parent, step-parent, guardian or relative within the third degree of consanguinity of the parent or registrant of such child. A relative within the third degree of consanguinity of the parent or step-parent includes the grandparents of the child, the great-grand-grandparents of the child, the great-grand-grandchildren of the child, the spouse of the aunts and uncles, the grand-uncles and grand-aunts of the child, including the spouses of the great aunts and uncles, the siblings of the child, and the first cousins of the child, including the spouses of the first cousins. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.2(a)(1).</p>	<p>Child day care does not refer to a provision in:</p> <p>(a) a summer day camp, including day camp or children's overnight camp as defined in the State Sanitary Code;</p> <p>(b) a program for school-age children operated solely for the purpose of religious instruction, sports, classes, lessons or recreation;</p> <p>(c) a facility providing day services under an operating certificate issued by the Office;</p> <p>(d) a facility providing day treatment under an operating certificate issued by the Office;</p> <p>(e) a facility provided by the Office for Single Developmental Disabilities, or</p> <p>(f) a kindergarten, pre-kindergarten or nursery school for children three years of age or older, or a program for school-age children conducted during non-school hours, operated by a public school district or a private school or academy which is providing elementary or secondary education or both in accordance with the compulsory education requirements of the Office, provided that such kindergarten, pre-kindergarten or program is located on the premises or campus where the elementary or secondary education is provided. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.2(a)(2).</p>
<b>Child Day Care Centers</b>	<p><b>Child day care center</b> means a program or facility which is not a residence in which child day care is provided on a regular basis to more than six children for more than three hours per day per child for compensation or otherwise, except those programs providing care at a school-age child care program as defined in this Section. The name, description or form of the entity which operates a child day care center does not affect its status as a child day care center. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3(b)(1).</p>	<p>The provisions of Part 412 of this Title apply to this Subpart. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3. (See Exemptions for Child Day Care)</p> <p>See General Exemptions above.</p>
<b>Family Day Care Homes</b>	<p><b>Family day care home child</b> means a program serving for children for more than three hours per day child in which child day care is provided in a family home for three to six children. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3(b)(2).</p>	<p>The provisions of Part 412 of this Title apply to this Part. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3. (See Exemptions for Child Day Care)</p> <p>See General Exemptions above.</p>
<b>Group Family Day Care Homes</b>	<p><b>Group family day care home child</b> means a program serving for children for more than three hours per day per child in which child day care is provided in a family home to seven to twelve children of all ages, except for those programs operating as a family day care home, which care for seven or eight children. A group family day care program may provide child day care services to four additional children of such additional children are of school-age and each child receive services only before or after the period such children are ordinarily in school on such camp, birthday, or during those periods of the year in which school is not in session. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3(b)(3).</p>	<p>The provisions of Part 412 of this Title apply to this Part. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3. (See Exemptions for Child Day Care)</p> <p>See General Exemptions above.</p>
<b>School Age Child Care</b>	<p><b>School age child care program</b> means a program or facility which is not a residence in which child day care is provided on an on-site program of care for seven or more children under 13 years of age during the school year before and/or after the period such children are ordinarily in school during school hours periods. School age child care program also may provide care during school holidays and three months of the year in which children do not receive services, including summer sessions. Such programs must be operated in accordance with the local school calendar. The name, description or form of the entity which operates a school age child care program does not affect its status as a school-age child care program. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3(b)(4).</p>	<p>The provisions of Part 412 of this Title apply to this Part. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3. (See Exemptions for Child Day Care)</p> <p>See General Exemptions above.</p>
<b>Small Day Care Centers</b>	<p><b>Small day care center</b> means a program or facility which is not a residence in which child day care is provided to three through six children for more than three hours per day per child for compensation or otherwise. The name, description or form of the entity which operates a small day care center does not affect its status as a small day care center. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3(b)(5).</p>	<p>The provisions of Part 412 of this Title apply to this Subpart. N.Y. Comp. Codes &amp; Regs. 16, § 16.4-1.3. (See Exemptions for Child Day Care)</p> <p>See General Exemptions above.</p>
<b>New York</b> <b>General Definitions/Exemptions</b>	<p><b>"Child Care Program"</b> means a single center or home, or a group of centers or homes, or both, that are operated by one owner or supervised by one person, 10A N.C. Admin. Code 200-0202(d).</p> <p>Primary Services. Child care services means the provision of protection, care and developmental experiences to children ages birth to 18 years, for a portion of a day, but less than 24 hours, in the child's care home, or the home of a caregiver, or in a child care center. Each type of care arrangement shall meet all state and federal regulatory applicability to such arrangements. Services include: providing information to families and the community about what constitutes a good child care experience and assisting eligible families as needed with the cost of purchasing the child care service consistent with state policies. In addition, transportation services may be included in child care services. For each type of care arrangement, the equipment and materials necessary to carry out the day program of activities shall be included in the services provided. 10A N.C. Admin. Code 200-0203(j).</p>	<p>None.</p>
<b>Child Care Centers</b> <b>Family Child Care Centers</b>	<p>None.</p>	<p>None.</p>
<b>New York</b> <b>General Definitions/Exemptions</b>	<p><b>"Early childhood services"</b> means the care, supervision, education, or guidance of a child or children, which is provided in exchange for money, goods, or other services. N.D. Code § 50-11-1017.</p>	<p>Early childhood services does not include:</p> <p>1. A public program child care provided pursuant to chapter 50-51.</p> <p>2. Child care provided in any educational facility, whether public or private, in public or on-site.</p> <p>3. Child care provided in a kindergarten or pre-kindergarten program as defined in subdivision 13-10-2 of the State Sanitary Code.</p> <p>4. Child care, preschool, and pre-kindergarten services provided to children under six years of age in any educational facility through a program approved by the superintendent of public instruction.</p> <p>5. Child care provided in a religious institution or connection with a church, synagogue, or other religious institution where children are cared for during periods of time not exceeding four continuous hours while the child's parent is attending church services or is engaged in other activities, on the premises.</p> <p>6. Summer camps or classes for religious instruction conducted by religious orders during the summer months for not more than two weeks, Sunday schools, weekly catechisms, or other classes for religious instruction.</p> <p>7. Summer residential or camps for religious instruction which serve children during periods of time not exceeding four continuous hours while the child's parent is attending church services or is engaged in other activities, on the premises.</p> <p>8. Spring or winter camps for religious instruction which serve children during periods of time not exceeding four continuous hours while the child's parent is attending church services or is engaged in other activities, on the premises.</p> <p>9. Scouting or other youth organizations or other youth activities conducted under the supervision of an adult.</p> <p>10. Head start and child head start programs that are funded and have been licensed and have performance standards.</p> <p>11. Child care provided in a medical facility by medical personnel to children who are 6. N.D. Code 50-11-1017.</p>
<b>Group Child Care</b>	<p>A child care program licensed to provide early childhood services for thirty or fewer children. N.D. Code 50-11-1019.</p>	<p>See "early childhood services" exemption above.</p>
<b>Child Care Centers</b>	<p>An early childhood program licensed to provide early childhood services to thirteen or more children. N.D. Code 50-11-1020.</p>	<p>See "early childhood services" exemption above.</p>
<b>Family Child Care</b>	<p>A private residence licensed to provide childhood services for no more than seven children at any one time, except that the term includes a residence licensed to provide early childhood services to non-residential school-age children. N.D. Code 50-11-1021.</p>	<p>See "early childhood services" exemption above.</p>
<b>Home Child Care</b>	<p>Does not specifically define "home child care".</p> <p>"home provider" means any person who provides early childhood services to children in the child's home. N.D. Code 50-11-1011.</p>	<p>See "early childhood services" exemption above.</p>

School Age Child Care Program	<p>"School-age child care program" or "program" means a program licensed to provide early childhood services exclusively to school-age children before and after school, during school holidays, and during summer vacation. O.A.S. Code §10-11-1-02(1).</p> <p>"School-age child care" means a child care program licensed to provide early childhood services on a regular basis for children or more children aged five years through eleven years. R.O. Code Code §10-11-1-02(2).</p>	See "early childhood services" exemption above.
Child Day Camp	<p>"Child day camp" means a program in which child care, as defined in this title, is provided for children. The child day camp program that meets the following requirements:</p> <ol style="list-style-type: none"> <li>(1) The child day camp shall offer a program that operates no longer than seven hours per day. The seven hours do not include transportation time from a child's home to the child day camp and from the child day camp to a child's home, and does not include transportation time from pick-up and drop-off sites which are not the child's home.</li> <li>(2) The program's schedule on any one or more consecutive days in conjunction with the child day camp operation.</li> <li>(3) The child day camp serves children who are under four (4) children who are enrolled in school or have a regular school schedule.</li> <li>(4) The child day camp shall operate only during one or more public school district's regular vacation periods or for no more than seven weeks during the summer.</li> <li>(5) The child day camp shall operate under activities for all children in the program for a minimum of five percent of the year and for all children enrolled in the program, except for any year when hazardous weather conditions prevent the program from operating outdoor activities for a minimum of fifty per cent of that day. Ohio Admin. Code §101-2-18-01(A).</li> <li>(6) Child day camp that is licensed and registered, or operated and regulated by any state department other than the Ohio department of job and family services (ODJFS). Ohio Admin. Code §101-2-18-01(B).</li> </ol> <p>"School child" means a child who is enrolled or is eligible to be enrolled in a grade of kindergarten or above and who is less than fifteen years old. Ohio Admin. Code §101-2-18-01(C).</p> <p>"Approved child day camp" means a child day camp that is approved to enter into a provider agreement to provide publicly funded child care pursuant to rule 101-2-18-04 of the Administrative Code. Approved child day camp must meet all of the following requirements: (1) as accredited by the American camp association (ACA), (2) as accredited by any nationally recognized organization that accredits child day camps by using standards that the Ohio department of job and family services has determined are substantially similar and comparable to those of the ACA. Ohio Admin. Code §101-2-18-01(D).</p>	None.
Child Care Centers	<p>"Child care center" or "center" means any place child care is provided for thirteen or more children at one time or any place that is not the permanent residence of the licensee or administrator in which child care is provided for seven or fewer children or care is provided for licensed children for the purpose of the definition, any children under the year of age who are related to a licensee, administrator or employee and are on the premises of the center shall be counted. Ohio Admin. Code §101-2-1-01(7).</p> <p>"Child care center", as defined in Chapter 1104, of the Revised Code, means any place that is not the permanent residence of the licensee or administrator in which child care is provided, with or without compensation, to seven or fewer children at one time, or any other in which child care is provided for thirteen or more children at one time. Ohio Admin. Code §101-2-1-01(4).</p> <p>"Drop in center", as defined in Chapter 1104, of the Revised Code, means a center that provides child care for children on a temporary, irregular basis. "Temporary and irregular" means no more than thirty days a year for any child enrolled. Ohio Admin. Code §101-2-1-01(3).</p> <p>"Part-time child care center", as defined in Chapter 1104, of the Revised Code, means a center that provides child care for no more than four hours per day for any child. Ohio Admin. Code §101-2-1-01(5).</p> <p>"School child care center", as defined in Chapter 1104, of the Revised Code, means a center that provides child care for school children only and operates only during that part of the day immediately before and/or after the public school day of the school district, and/or when the public schools in the district are not open for instruction. Ohio Admin. Code §101-2-1-01(2).</p>	None.
Type A Family Care Homes	<p>"Type A home" means a permanent residence of the administrator in which child care or publicly funded child care is provided for seven or fewer children at one time or a permanent residence of the administrator in which child care is provided for four or twelve children at one time or four or more children at one time under two years of age in counting children for the purposes of this paragraph, any children under the year of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. Ohio Admin. Code §101-2-1-01(2)(5).</p> <p>"Type A home", as defined in Chapter 1104, of the Revised Code, means a permanent residence of the administrator in which child care is provided for seven or fewer children at one time, including any children under the year of age who are related to a licensee, administrator, or employee of the type A home and who are on the premises of the type A home or for four or twelve children at one time or four or more children at one time under two years of age, including any children under six years of age who are related to a licensee, administrator, or employee of the type A home and who are on the premises of the type A home. Ohio Admin. Code §101-2-1-01(2)(4).</p> <p>"Drop in type A home", as defined in Chapter 1104, of the Revised Code, means a home that provides child care for children on a temporary, irregular basis. "Temporary and irregular" means no more than thirty days a year for any child. Ohio Admin. Code §101-2-1-01(3).</p> <p>"Part-time type A home", as defined in Chapter 1104, of the Revised Code, means a type A home that provides child care for no more than four hours per day for any child. Ohio Admin. Code §101-2-1-01(5).</p> <p>"School child type A home", as defined in Chapter 1104, of the Revised Code, means a type A home that provides child care for school children only and operates only during that part of the day immediately before and/or after the public school day of the school district, and/or when the public schools in the district are not open for instruction. Ohio Admin. Code §101-2-1-01(2).</p>	None.
Type B Family Care Homes	<p>"Type B home" means a permanent residence of the provider in which child care services are provided for seven or fewer children at one time and in which no more than three children may be under the year of age at one time.</p> <p>(6) In counting children for the purposes of this rule, any children under the year of age who are related to the provider and who are on the premises of the type B home shall be counted. Children six years of age or older who are related to the provider and who are on the premises of the "type B home" shall not be included in this count.</p> <p>Note: "Type B home" also includes a home which is the permanent residence of both the provider and the parent. Ohio Admin. Code §101-2-1-01(3)(c).</p> <p>"Type B home" means the permanent residence of the provider in which child care is provided for six or fewer children at one time and in which no more than three children are under two years of age. Ohio Admin. Code §101-2-1-01(1).</p>	None.
Publicly Funded Child Care	<p>"Publicly funded child care" is the care of infants, toddlers, preschool children, and school children under age thirteen by an eligible provider. Publicly funded child care is paid, wholly or in part, with federal or state funds, including funds available under the child care block grant under Title IV-A, and Title X, distributed by ODJFS. Ohio Admin. Code §101-2-1-01(1).</p> <p>"Eligible provider" means a child care provider who is eligible to receive public funds, in accordance with Chapter 1104, of the Revised Code, has completed the provider agreement with the Ohio department of job and family services (ODJFS) and has entered all required information in the provider portal. An eligible provider includes all of the following:</p> <ol style="list-style-type: none"> <li>(1) A licensed child care center.</li> <li>(2) A licensed type A child care home.</li> <li>(3) A licensed type B child care home.</li> <li>(4) A licensed in-home aide.</li> <li>(5) A licensed school child care center.</li> <li>(6) A licensed preschool program.</li> <li>(7) A licensed school child program.</li> <li>(8) An approved child day camp as defined in rule 101-2-18-01 of the Administrative Code. Ohio Admin. Code §101-2-18-01(1).</li> </ol> <p>"Head Start program" means a comprehensive child development program that receives federal funds distributed under the "Head Start" '95 Stat. 499 (1982) which includes early head start. Ohio Admin. Code §101-2-18-01(2).</p>	None.
Childcare	<p>"Child care facility" means any public or private child care residential facility, child-placing agency, foster family home, child care center, part-day program, out-of-school-time program, day camp, drop-in program, program for at-risk children, family child care home, or large family child care home providing either full-time or part-time care for children away from their own homes. Oka. Stat. tit. 10, § 402(4).</p>	<p>A. The provisions of the Oklahoma Child Care Facilities Licensing Act shall not apply to:</p> <ol style="list-style-type: none"> <li>1. Care provided in a child's own home or by relatives;</li> <li>2. Informal arrangements which provide care with friends or neighbors for the occasional care of their children;</li> <li>3. Programs in which school-aged children three (3) years of age and older are participating in home schooling;</li> <li>4. Programs in which children three (3) years of age and older and that are operated during typical school hours by a public school district;</li> <li>5. Programs that care children three (3) years of age and older and that are operated during typical school hours by a private school that offers elementary education in grades kindergarten through third grade;</li> <li>6. Summer youth camps for children one or less than 12 years of age, that are accredited by a national or state-recognized youth agency or church youth accreditation program;</li> <li>7. Programs in which children attend on a drop-in basis and parents are on the premises and readily accessible;</li> <li>8. A program of unsupervised activities or instruction for children that is not designed or operated for child care purposes including, but not limited to, soccer, 4-H clubs and summer residential youth camps, programs that teach children from enrolling in multiple sessions because of the type of activity or age accepted, and independent programs such as academics, athletics, gymnastics, hobbies, art, music, dance and craft instruction;</li> <li>9. Any child care facility that provides care and supervision for three (3) to five hours per week;</li> <li>10. Operations less than eight (8) weeks annually, or, operations in the summer for less than eight (8) hours per day;</li> <li>11. Facilities whose primary purpose is medical treatment;</li> <li>12. Operating schools that have education as their primary purpose and that are recognized as accredited by the State Board of Education. To be exempt, such programs shall have classroom facilities that are not used for residential care, is not have been granted nor have assumed legal custody of any child attending the facility, and a. Letter of standard educational holiday and seasonal recess periods to permit students reasonable opportunities to return to their primary places of residence with parents or legal guardians;</li> <li>13. One treatment program and respite home operated by a licensed hospital;</li> <li>14. Juvenile facilities certified by the Office of Juvenile Affairs or certified by any other state agency authorized by law to license such facilities;</li> <li>15. A program in which child care is provided as defined in 25 U.S.C. 1903 (1932); and</li> <li>16. A program in a religious care or foster program.</li> </ol> <p>B. The provisions of the Oklahoma Child Care Facilities Licensing Act shall be equally incumbent upon all private and public child care facilities. Oka. Stat. tit. 10, § 402.</p>
Family Child Care Homes and Large Child Care Homes	<p>"Family child care home" means a family home that provides care and supervision for seven or fewer children for part of the 24-hour day. Oka. Stat. tit. 10, § 402(1)(C); Oka. Admin. Code § 340-110-3-42.</p> <p>"Large family child care home" means a residential family home that provides care and supervision for eight to 12 children for part of the 24-hour day. Oka. Stat. tit. 10, § 402(1)(D); Oka. Admin. Code § 340-110-3-43.</p>	<p>The term "family child care home" shall not include informal arrangements which parents make independently with neighbors, friends, and others, or with caretakers in the child's own home. Oka. Stat. tit. 10, § 402(1)(B).</p> <p>See general exemptions above.</p>
Child Care Centers, OOI Programs, Drop-in Camps, Day Camps, Part-day Child Care Programs	<p>"Child care center" means a program which operates thirty (30) or more hours per week. Oka. Stat. tit. 10, § 402(1)(B); Oka. Admin. Code § 340-110-3-37(1).</p> <p>"Part-day child care center" means a program that provides care and supervision for children and that operates for more than fifteen (15) and up to thirty (30) hours per week. Oka. Stat. tit. 10, § 402(1)(C); Oka. Admin. Code § 340-110-3-27(5).</p> <p>"Day camps" means programs that operate during school breaks for 12 hours or less per day, serve children seven (7) years old and older who are attending, or have completed kindergarten or above, and are on the children's summer program for at least 10 percent of the daily hours of operation. Oka. Admin. Code § 340-110-3-27(6).</p> <p>"Drop-in programs" means programs that operate 30 or more hours per week with individual children attending on hours of two per day and 24 hours or less per week, with an allowance for three extra no-hour days per 12 months per child. Oka. Admin. Code § 340-110-3-27(5).</p> <p>"Out-of-school-time programs" means programs that operate when school's not in session, such as before and after school and school breaks, and serve seven (7) years old and older who are attending or have completed pre-kindergarten or above. Oka. Admin. Code § 340-110-3-27(4).</p> <p>"Programs for at-risk children" means programs that serve children with these or programs, preventing them from comfortable participation in activities in a program caring for children who are well. The children require more care than personnel in a program caring for children who are well can provide without compromising the health and safety of other children in care. Oka. Admin. Code § 340-110-3-27(3).</p>	<p>Exemptions. Authorization to operate is not required from Licensing when the program is exempt per 101-2-1-01, the Oklahoma Child Care Facilities Licensing Act. Oka. Admin. Code § 340-110-3-27(6)(2).</p> <p>See general exemptions above.</p>
Child Care	<p>"Child care" means the care, supervision, and guidance on a regular basis of a child, including a parent, guardian, or custodian, during a part of the 24 hours of the day, with or without compensation. Cr. Admin. §. 414-205-0001(1); 414-300-0000(7); 414-300-0000(8).</p> <p>"Child care facility" means any facility that provides child care to children, including a child care center, certified family child care home, and registered family child care home. It includes those known under a descriptive name, such as nursery school, preschool, kindergarten, child day camp, before or after school care, or child development center, except those included under Oka. Stat. title 10, § 402(4). This term applies to the total child care operation and includes the physical setting, administrator, staff, equipment, program, and care of children. Cr. Admin. §. 414-205-0001(1); 414-300-0001(1).</p>	None.

<p><b>Certified Child Care Centers</b></p>	<p>"Child Care Center" or "Center" means a child care facility that is certified to care for thirteen or more children, or a facility that is certified to care for twelve or fewer children and located in a building constructed or altered from a single family dwelling. (Dr. Admin. R. 414-300-0001(1)).</p> <p>"School Age Program" means care and education provided in a center, part of a center, school or other facility for children attending kindergarten or eligible to be enrolled in the first grade or above and, during the months of summer vacation from school, children who are enrolled in the first grade or above in the next school year. (Dr. Admin. R. 414-300-0001(4)).</p>	<p>Child care does not include the care provided:</p> <ol style="list-style-type: none"><li>(a) In the home of the child;</li><li>(b) By the child's parent or guardian, or person acting in loco parentis;</li><li>(c) In a person related to the child by blood or marriage within the fourth degree as determined by civil law;</li><li>(d) On an occasional basis by a person, sponsor, or organization not otherwise engaged in providing child care;</li><li>(e) By the provider of medical services. (Dr. Admin. R. 414-300-0001(7)).</li></ol> <p>These rules do not apply to child care facilities specifically excluded by law. Excluded facilities are those that:</p> <ol style="list-style-type: none"><li>(a) Provide care for preschool children that is primarily educational for four hours or less per day and where no preschool age child is present at the facility for more than four hours per day except as provided in 414-300-0001(1)(c); or</li><li>(b) Provide care for school age children that is primarily a single enrichment activity, for eight hours or less a week; or</li><li>(c) Provide care in which child development activities are provided for school age children during hours that school is not in session and which does not take the place of a parent's care; or</li><li>(d) Provide care that is primarily an unpaid or unpaid volunteer activity, or under the supervision of an organized club or hobby group; or. This exclusion applies only to the time engaged in the group activity or social activities and if the children can come and go as they please; or</li><li>(e) Are operated by a school district, political subdivision of this state, or a governmental agency; or</li><li>(f) Are operated on an occasional basis by a person, sponsor, or organization not otherwise engaged in providing child care except as provided in 414-300-0001(1)(c); or</li><li>(g) Operate as a parent cooperative for no more than four hours a day; or</li><li>(h) Provide care while the child's parent remains in the premises and is engaged in an activity offered by the facility or its network affiliate; or</li><li>(i) Provide care for three children other than the person's own children except as provided in 414-300-0001(1)(c); or</li><li>(j) Provide care for children from only one family other than the person's own family except as provided in 414-300-0001(1)(c). (Dr. Admin. R. 414-300-0001(3)).</li></ol>
<p><b>Certified Family Child Care Homes</b></p>	<p>"Certified Family Child Care Home" or "Home" means a child care facility located in a building constructed as a single family dwelling that has a certificate to care for a maximum of 12 children at any one time. (Dr. Admin. R. 414-300-0001(2)).</p>	<p>Child care does not include the care provided:</p> <ol style="list-style-type: none"><li>(a) In the home of the child;</li><li>(b) By the child's parent or guardian, or person acting in loco parentis;</li><li>(c) In a person related to the child by blood or marriage within the fourth degree as determined by civil law;</li><li>(d) On an occasional basis by a person, sponsor, or organization not otherwise engaged in providing child care;</li><li>(e) By the provider of medical services; or</li><li>(f) By a person who is a member of the child's extended family, as determined by the division on a case-by-case basis. (Dr. Admin. R. 414-300-0001(8)).</li></ol> <p>The following child care facilities are specifically excluded by law and are not required to comply with these rules:</p> <ol style="list-style-type: none"><li>(a) A registered family child care home;</li><li>(b) A facility providing care for preschool children that is primarily educational for four hours or less per day and where no preschool age child is present at the facility for more than four hours per day except as provided in 414-300-0001(1)(c); or</li><li>(c) Care provided in the home of the child; or</li><li>(d) A facility that provide care on an occasional basis by a person, sponsor, or organization not otherwise engaged in providing child care except as provided in 414-300-0001(1)(c); or</li><li>(e) A facility that provide care for no more than three children other than the person's own children except as provided in 414-300-0001(1)(c); or</li><li>(f) A facility that provide care for children from only one family other than the person's own family except as provided in 414-300-0001(1)(c). (Dr. Admin. R. 414-300-0001(2)).</li></ol>
<p><b>Registered Family Child Care Homes</b></p>	<p>"Registered Family Child Care Home" means the residence of the provider, who has current Family Child Care Registration at that address and who provides care in the family living quarters. (Dr. Admin. R. 414-300-0001(1)).</p>	<p>These rules do not apply to care provided:</p> <ol style="list-style-type: none"><li>(a) In the home of the child;</li><li>(b) To three or fewer children, not including the provider's children subject to the limit in 414-300-0001 except as provided in 414-200-0001(2);</li><li>(c) To children from one family, not including the provider's children except as provided in 414-300-0001(2);</li><li>(d) On an occasional basis by a person not otherwise engaged in providing child care except as provided in 414-200-0001(2);</li><li>(e) By the child's parent, legal guardian, or person acting in place of a parent;</li><li>(f) By a person related to the child care children by blood, marriage, or adoption; or</li><li>(g) By a person who is a member of the child's extended family, as determined by CCR on a case-by case basis; or</li><li>(h) By a person providing care for preschool children that is primarily educational for four hours or less per day and where no preschool-age child is present at the facility for more than four hours per day, except as provided in 414-200-0001(2). (Dr. Admin. R. 414-200-0001(2)).</li></ol>
<p><b>Temporary</b></p>	<p>Child care operation – Care for a child or two children by the parent or guardian for part of a 24 hour day. The term includes care of foster children in a court supervised placement. 55 Pa. Code §§ 93.6-4, 93.6-6, 93.6-10.</p>	<p>Child care operation – does not include care of related children who reside with an individual. The term does not include supervised orders in the case of a student who is fulfilling the requirements of a secondary or postsecondary child care training or educational curriculum. 55 Pa. Code §§ 1270.4, 1280.4, 1290.4.</p>
<p><b>Child Day Care Centers</b></p>	<p>This chapter [Child Day Care Centers] applies to facilities in which child development is provided, at any one time, for part of a 24-hour day to seven or more children, 15 years of age or younger, including:</p> <ol style="list-style-type: none"><li>(1) Care provided to a child at the parent's work site when the parent is not present at the child's age span;</li><li>(2) Care provided in private or public, profit or nonprofit facilities;</li><li>(3) Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergarten. 55 Pa. Code §§ 1270.3(a).</li></ol> <p>Child day care center – The premises in which care is provided at any one time for seven or more children unrelated to the operator. 55 Pa. Code § 1270.4.</p>	<p>This chapter [Child Day Care Centers] does not apply to:</p> <ol style="list-style-type: none"><li>(1) Care provided by relatives;</li><li>(2) Care provided in a facility where the parent is present at all times, child care is being provided;</li><li>(3) Care provided during the hours of instruction in nonpublic schools and in private nursery schools and kindergarten. 55 Pa. Code § 1270.3(a).</li></ol> <p>This chapter is not applicable to a part day school-age program for children who attend kindergarten or older but under 18 years of age as follows:</p> <ol style="list-style-type: none"><li>(1) A part-day school-age program that operates for less than 20 consecutive days per calendar year from the date the program opens until the date the program closes. This clarification does not apply to a legal entity that has a certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children on school holidays;</li><li>(2) A part-day school-age program that operates 2 hours or less per day for 1 or fewer days per week;</li><li>(3) A part-day school-age program that has a single purpose for the children's attendance and the purposes is the only focus of the program. For example, basketball or art class;</li><li>(4) Training programs that are licensed by or approved and funded by the Pennsylvania Department of Education (PDE), for example (i) Training centers and educational testing and remedial centers licensed by PDE under 22 Pa. Code Chapters 61 and 63 relating to training centers and educational testing and remedial centers; (ii) Educational assistance programs operated by school districts directly or by contract with an outside provider approved by PDE, (iii) Classroom Learning Programs; (iv) Supplemental Education Services Program;</li><li>(5) A drop-in program where the child may come and go as will. 55 Pa. Code § 1270.4.</li></ol>
<p><b>Family Child Day Care Homes</b></p>	<p>This chapter [Family Child Day Care Homes] applies to facilities in which no more than two children, at any one time, for part of a 24-hour day live, five or six children who are not related to the operator and who are 15 years of age or younger. This chapter applies to private or public, profit or nonprofit facilities. 55 Pa. Code § 1280.3(a).</p> <p>Family child day care home – A home other than the child's own home, operated for profit or not-for-profit, in which child day care is provided at any one time to four, five or six children unrelated to the operator. 55 Pa. Code § 1280.4.</p>	<p>This chapter [Family Child Day Care Homes] does not apply to the following:</p> <ol style="list-style-type: none"><li>(1) Care provided by relatives;</li><li>(2) Care furnished in places of worship during religious services. 55 Pa. Code § 1280.3(a).</li></ol>
<p><b>Group Child Day Care Homes</b></p>	<p>This chapter [Group Child Day Care Homes] applies to facilities in which no more than two children, at any one time, for part of a 24-hour day to more than six but fewer than 18 children school age level children or more than six but fewer than 15 children of any other age level, including:</p> <ol style="list-style-type: none"><li>(1) Care provided to a child at the parent's work site when the parent is not present at the child's age span;</li><li>(2) Care provided in private or public, profit or nonprofit facilities;</li><li>(3) Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergarten. 55 Pa. Code §§ 1280.3(a).</li></ol> <p>Group child day care home – The premises in which care is provided at any one time for more than six but fewer than 18 school age level children or more than six but fewer than 15 children of another age level who are unrelated to the operator. The premises include a facility located in a residence or another premises. 55 Pa. Code § 1280.4.</p>	<p>This chapter [Group Child Day Care Homes] does not apply to:</p> <ol style="list-style-type: none"><li>(1) Care provided by relatives;</li><li>(2) Care furnished in places of worship during religious services. 55 Pa. Code § 1280.3(a).</li></ol> <p>This chapter is not applicable to a part day school age program for children who attend kindergarten or older but under 18 years of age as follows:</p> <ol style="list-style-type: none"><li>(1) A part-day school-age program that operates for less than 20 consecutive days per calendar year from the date the program opens until the date the program closes. This clarification does not apply to a legal entity that has a certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children on school holidays;</li><li>(2) A part-day school-age program that operates 2 hours or less per day for 1 or fewer days per week;</li><li>(3) A part-day school-age program that has a single purpose for the children's attendance and the purposes is the only focus of the program. For example, basketball or art class;</li><li>(4) Training programs that are licensed by or approved and funded by the Pennsylvania Department of Education (PDE), for example (i) Training centers and educational testing and remedial centers licensed by PDE under 22 Pa. Code Chapters 61 and 63 relating to training centers and educational testing and remedial centers; (ii) Educational assistance programs operated by school districts directly or by contract with an outside provider approved by PDE, (iii) Classroom Learning Programs; (iv) Supplemental Education Services Program;</li><li>(5) A drop-in program where the child may come and go as will. 55 Pa. Code § 1280.4.</li></ol>
<p><b>Public School</b></p>		<p>The licensing requirement does not apply to child care operations for parents with children, boarding schools, recreation camps, hunting homes, hospitals, maternity residences and centers for developmentally disabled children. R.I. Admin. Code 14-100721-4.</p>
<p><b>Child Care Center and School Age Child Care Program</b></p>	<p>"Child day care center" means any premises, tent, construction, alteration or agency which, on a regular or regular basis, receives any child under the age of nineteen (19) years, for the purpose of child care and/or supervision, not in the parent's residence, apart from the parent or guardian for any part of a twenty four (24) hour day (inclusive of compensation or reward); it shall include child day care programs that are not intended to employ at the workplace. It does not include nursery schools or other programs of educational services subject to approval by the commissioner of education. R.I. Admin. Code 14-100721-2-2(7).</p>	
<p><b>Family Child Care Home</b></p>	<p>FAMILY CHILD CARE HOME means any home other than the child's home in which child care, in the form of private care or other supervision, is offered at the same time to four (4) or more children who are not relatives of the care giver. R.I. Admin. Code 14-3-1551-1.</p>	<p>Any person not required by law to be licensed because that person will provide care for fewer than four (4) unrelated children for any part of a twenty four (24) hour day, may voluntarily apply to the Department for licensure. R.I. Admin. Code 14-3-139-1(1)(d).</p>
<p><b>Group Family Child Care Home</b></p>	<p>GROUP FAMILY CHILD CARE HOME means a residence occupied by an individual of at least twenty-two (22) years of age, who provides care for not less than five (5) and not more than twelve (12) children with the assistance of one or more approved adults, for any part of a twenty four (24) hour day. The maximum of twelve (12) children that includes children under six (6) years of age who are being in the home, unrelated children under ten (10) years of age reserved for care, school age children under the age of twelve (12) years, whether they are being in the home are examined for care, and children related to the provider who are reserved for care. R.I. Admin. Code 14-3-1601-1.</p>	<p>None.</p>
<p><b>South Carolina</b></p>		
<p><b>General Definitions/Exemptions</b></p>	<p>"Children" means two care, supervision, or guidance of a child or children, unaccompanied by the parent, guardian, or custodian, on a regular basis, for periods of less than twenty-four hours per day, but more than four hours, in a place other than the child's or the child's parent's own home or home. S.C. Code § 5-3-20(2).</p> <p>"Children's facilities" means a facility which provides care, supervision, or guidance for a minor child which is not related to blood, marriage, or adoption to the owner or operator of the facility whether or not the facility is operated for profit and whether or not the facility makes a charge for services offered by it. This definition includes, but is not limited to, day nurseries, nursery schools, children centers, group children homes, and children homes. S.C. Code § 5-3-20(20).</p>	<p>"Children's facilities" – does not include:</p> <ol style="list-style-type: none"><li>(a) An educational facility, whether private or public, which operates solely for educational purposes in grade one or above;</li><li>(b) Five-year old kindergarten program;</li><li>(c) Kindergarten or nursery schools or other day-care programs, with or without related educational purposes, operating no more than four hours a day and receiving children younger than lawful school age;</li><li>(d) Facilities operated for more than four hours a day in connection with a shopping center or service or other similar facility, where the same children are cared for less than four hours a day and not on a regular basis as defined in this chapter while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and immediately available; however, these facilities must meet health and sanitation requirements and maintain documentation of these requirements on file at the facility available for public inspection;</li><li>(e) School activities or school holiday day camps for children operating in distinct sessions running less than three weeks per session unless the day camp permits children to enroll in successive sessions that their total attendance may exceed three consecutive weeks;</li><li>(f) Summer resident camps for children;</li><li>(g) Bible schools normally conducted during vacation periods;</li><li>(h) Facilities for persons with intellectual disability provided for by Chapter 21, Title 44;</li><li>(i) Facilities for the mentally ill provided for in Chapter 17, Title 44, Code of Laws of South Carolina; and</li><li>(j) Child care centers owned and operated by a local church (not religious or established religious denomination) or a religious college or university which does not receive state or federal financial assistance for child care services. However, these facilities must comply with the provisions of Article 6, Sections 20-2-2900 through 20-2-2975 and these facilities voluntarily may elect to become licensed according to the process as set forth in Article 3 and Sections 20-2-7200 through 20-2-7280 and Sections 20-2-2980 through 20-2-3030. S.C. Code Reg. 114-5508(1).</li></ol>
<p><b>Child Care Centers</b></p>	<p>Child care center - Center that is licensed for thirteen (13) or more children for care. S.C. Code Reg. § 114-5508(1)(B).</p>	<p>These regulations do not apply to the following:</p> <ol style="list-style-type: none"><li>(a) Educational facilities, whether private or public, which operate solely for educational purposes in grade one or above;</li><li>(b) Five-year old kindergarten program;</li><li>(c) Kindergarten or nursery schools or other day-care programs, with or without related educational purposes, operating no more than four hours a day and receiving children younger than lawful school age;</li><li>(d) Facilities operated for more than four hours a day in connection with a shopping center or service or other similar facility, where the same children are cared for less than four hours a day and not on a regular basis as defined in these regulations and the children are occupied on the premises or are in the immediate vicinity and immediately available; however, these facilities must meet health and sanitation requirements and maintain documentation of these requirements on file at the facility available for public inspection;</li><li>(e) School activities or school holiday day camps for children operating in distinct sessions running less than three weeks per session unless the day camp permits children to enroll in successive sessions that their total attendance may exceed three consecutive weeks;</li><li>(f) Summer resident camps for children;</li><li>(g) Bible schools normally conducted during vacation periods;</li><li>(h) Facilities for the mentally ill provided for in Chapter 17, Title 44, Code of Laws of South Carolina; and</li><li>(i) Child care centers owned and operated by a local church (not religious or established religious denomination) or a religious college or university which does not receive state or federal financial assistance for child care services. However, these facilities must comply with the provisions of Article 6, Sections 20-2-2900 through 20-2-2975 and these facilities voluntarily may elect to become licensed according to the process as set forth in Article 3 and Sections 20-2-7200 through 20-2-7280 and Sections 20-2-2980 through 20-2-3030. S.C. Code Reg. 114-5508(1).</li></ol>
<p><b>Family Child Care Home</b></p>	<p>Items used in South Carolina Regulations, Chapter 114, Article 6, Part 4, that are all definitions cited in Section 20-2-2700(c) and 20-2-2700(d), Code of Laws of South Carolina, S.C. Code Reg. 114-5528(A).</p>	<p>None.</p>
<p><b>Group Child Care Homes</b></p>	<p>"Family children home" means a facility within a residence occupied by the operator in which twelve regularly provide child care for at least twenty-two (22) years of age, who provides care for not less than five (5) and not more than twelve (12) children who are being in the home and children related to the resident caregiver, or only for the child or children of one unrelated family or only for a combination of those children in a group child care home. S.C. Code Reg. 114-5513(1).</p>	<p>These regulations do not apply to the following:</p> <ol style="list-style-type: none"><li>(a) Educational facilities, whether private or public, which operate solely for educational purposes in grade one or above;</li><li>(b) Five-year old kindergarten program;</li><li>(c) Kindergarten or nursery schools or other day-care programs, with or without related educational purposes, operating no more than four hours a day and receiving children younger than lawful school age;</li><li>(d) Facilities operated for more than four hours a day in connection with a shopping center or service or other similar facility, where the same children are cared for less than four hours a day and not on a regular basis as defined in these regulations and the children are occupied on the premises or are in the immediate vicinity and immediately available; however, these facilities must meet health and sanitation requirements and maintain documentation of these requirements on file at the facility available for public inspection;</li><li>(e) School activities or school holiday day camps for children operating in distinct sessions running less than three weeks per session unless the day camp permits children to enroll in successive sessions that their total attendance may exceed three consecutive weeks;</li><li>(f) Summer resident camps for children;</li><li>(g) Bible schools normally conducted during vacation periods;</li><li>(h) Facilities for the mentally ill provided for in Chapter 17, Title 44;</li><li>(i) Child care centers owned and operated by a local church (not religious or established religious denomination) or a religious college or university which does not receive state or federal financial assistance for child care services. However, these facilities must comply with the provisions of Article 6, Sections 20-2-2900 through 20-2-2975 and these facilities voluntarily may elect to become licensed according to the process as set forth in Article 3 and Sections 20-2-7200 through 20-2-7280 and Sections 20-2-2980 through 20-2-3030. S.C. Code Reg. 114-5508(1).</li></ol>

Category	Requirements	Notes
Child Care Centers Operated by Religious Entities	These regulations apply to child care centers operated by churches or religious entities as defined in section 114-521(A)(3), S.C. Code Regs. 114-5208(8). Child care center: Center that is registered for three (3) or more children for care, S.C. Code Regs. 114-521(1).	These regulations do not apply to the following: (a) Quasi-public facilities, whether private or public, which operate solely for educational purposes in private or above; (b) Five-year old kindergarten programs; (c) Kindergartens or nursery schools or other daycare programs, with or without stated educational purposes, operating no more than four hours a day, and involving children younger than half-day school age; (d) Facilities operated for more than four hours a day in connection with a housing center or service or other similar facility, where the same children are cared for less than four hours a day and not on a regular basis while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and immediately available; however, these facilities must meet both the site and sanitation requirements and maintain documentation of these requirements on file at the facility available for public inspection; (e) School morning or school holiday day camps for children operating in distinct sessions running less than three weeks per session, unless day camp programs attend on to non-successive sessions so that their total attendance may exceed three consecutive weeks; (f) Summer residential camps for children; (g) Schools or school holiday day camps for children operating in distinct sessions running less than three weeks per session, unless day camp programs attend on to non-successive sessions so that their total attendance may exceed three consecutive weeks; (h) Religious schools conducted during school vacation periods; (i) Facilities for the mentally ill provided in Chapter 21, Title 44, and (j) Facilities for the mentally ill as provided in Chapter 27, Title 44, S.C. Code Regs. 114-5208(8).
Family Day Care Homes	"Family day care," the provision of regular care and supervision of no more than 12 children, including the provider's own children who are under the age of six years, for part of a 24-hour period on a regular or irregular basis, S.D. Admin. R. 67-42-02(1)(1) to (1)(7) 14-02(1)	None.
Day Care Centers and Group Family Day Care Homes	"Day care program" or "daycare," refers to both day care centers and group family day care homes, S.D. Admin. R. 67-42-02(2); 67-42-02(4). "Day care center," a facility for the care and supervision of 21 or more children on a regular basis for part of a day, a supplement to regular parental care, S.D. Admin. R. 67-42-02(2); 67-42-02(5). "Group family day care home," a facility where regular supervision of 13 to 20 children is provided for part of a 24-hour period as a supplement to regular parental care, S.D. Admin. R. 67-42-02(2); 67-42-02(3).	None.
Before and After School Care	Before and after school care," care and supervision that serves as a substitute for parental care before and after school hours of children who are five years of age or older and enrolled in school. S.D. Admin. Code 67-42-14-02(2)	None.
Nursing	Child Care Center, "child care center" means any place or facility operated by any person or entity that provides child care for three (3) or more hours per day for at least thirteen (13) children who are not related to the primary caregiver, provided, that a child care agency shall not be considered an "child care center" that operates as a "group child care center" and does not use (2) additional school-age children as permitted in subdivision (7); provided, further, that all children, related or unrelated shall be counted in the child-care supervision ratios and group sizes applicable to child care centers with the exception, shall the child care center is operated at the occupied residence of the primary caregiver, children may be (2) years of age or older who are related to the primary caregiver and will not be counted in determining the adult-to-child supervision ratios or group sizes applicable to child care centers if such children are provided a separate room from that occupied by the child care center. The Department may permit children in the separate space to interact with the children in the licensed child care center at such location as in this section determined to be appropriate. Tenn. Comp. & Regs. 1240-04-03-02(11). Child Care Agency, "child care agency" or "agency" means, and only where the context requires in any other provision of law: (a) A place or facility, regardless of whether it is currently licensed, that is operated as a "family child care home," a "group child care center," a "child care center," or a "drop-in center," in these terms as defined in this part; or (b) A place or facility that provides child care for three (3) or more hours per day for five (5) or more children who are not related to the primary caregiver. Tenn. Comp. & Regs. 1240-04-03-02(15)	Exemption from Licensing (a) Child care agency: Exemption pursuant to T.C.A. § 7-1-252 shall submit to the Department's licensing division, or designee, a sworn, written request for exemption in such manner and form as the Department may require. The request shall provide a detailed description of the operation of the program or the activity, the program or activity's purpose and the applicant's basis for claiming an exemption. (b) The Department shall provide a written response to the exemption request stating the reasons the exemption was granted or denied. (c) Acceptance of exemption from licensure by the Department does not exempt the child care agency from compliance with any other local, state, or federal requirements applicable to its operation. Tenn. Comp. & Regs. 1240-04-03-02(2).
Drop-in Child Care Centers	Drop-in, "drop-in Child Care Center" is a place or facility operated by any person or entity providing child care for fifteen (15) or more children at the same time, none of whom are related to the primary caregiver, in short periods of time as follows: 1. Workweek Care (a) Provided during regular working hours, Monday through Friday, 8:00 a.m. to 6:00 p.m. (b) No individual child may be in child care for more than 20 hours per care or fourteen (14) hours per week, exclusive of movie days. (c) Evening and Weekend Care (i) Provided on weekday evenings, after 6:00 p.m. and weekdays beginning on Friday at 5:00 p.m. and ending on Sunday at 10:00 a.m. (ii) No individual child may receive care in excess of seven (7) hours per day, but may not receive care in excess of a total of twenty (20) hours per week, exclusive of movie days. (d) Exception for Term Care. Drop-in care for school children may exceed the maximum hours listed in parts 1 and 2 above during movie days. Tenn. Comp. & Regs. 1240-04-03-02(13). "Child care agency" or "agency" (a) Means a place or facility, regardless of whether it is currently licensed, that is operated as a "family child care home," a "group child care center," a "child care center," or a "drop-in center," in these terms as defined in T.C.A. § 7-1-250. (b) The reference to "child care agency" or "agency" in this Chapter shall be deemed to reference a "drop-in center" as defined in T.C.A. § 7-1-250(3), unless specifically stated otherwise, or unless the context requires otherwise. (c) A "drop-in center" differs from "family day care" in that fifteen (15) or more children are cared for at the same time in a "drop-in center" as defined in 1240-04-03-02(13), while "family day care" refers to the care of fewer than fifteen (15) children who are cared for at the same time as defined in paragraph 1240-04-03-02(13). (d) A "drop-in center" differs from a "family child care home," a "group child care center," or a "child care center" in that a "drop-in center" is designed to provide short-term child care, and not to exceed the limitations specified in paragraph (13). Child care provided to children must (2) specified categories of child care agencies is not subject to the limitations of paragraph (13). (e) Reference to "child care agency" or "agency" in these rules also applies to places or entities of an agency seeking having received approval under paragraph (3). Tenn. Comp. & Regs. 1240-04-03-02(2).	Notwithstanding any other provision of this chapter to the contrary, drop-in centers operated by not-for-profit organizations that provide child care without compensation for no more than two (2) hours per day with a maximum of ten (10) hours per week, while the parent or other custodian is engaged in short-term activities on the premises of the organization, shall register as providing "custodial care" and shall not be deemed to be, or registered as, a drop-in center. Tenn. Comp. & Regs. 1240-04-03-02(13)(b).
Family Child Care Homes	Family Day Care Home. A home (an occupied residential) operated by a person for the purpose of receiving therein a minimum of five and a maximum of seven children under 17 years of age, who are not related to the provider (not including both parents or those parents) or grandchild(s) and not residents in the same home, for less than 24 hours per day for care, without transfer of legal custody. Tenn. Comp. & Regs. 1240-04-04-01(1)(3).	None.
Group Child Care Homes	Group Day Care Home. Any facility operated by a person, social agency, corporation or institution, or any other group which receives a minimum of eight and a maximum of 12 children (and up to three additional school-age children who will only be present before and after school, on school holidays, on school vacation periods, or during school summer vacations) for less than 24 hours per day for care outside that person's home, without transfer of legal custody, before a group day care home opens, the safety and environmental requests must approve facility. Tenn. Comp. & Regs. 1240-04-04-01(1)(4).	None.
Registered Family Day Care Homes	Registered family day care home is the private residence of a provider of child care for no more than 10 non-related children and which has been certified by a licensing organization to meet certain rules of the department of human services. A related child means the children, step-children, long-child, grandchild, sibling, stepchild, niece, nephew of the provider of child care, or a child who is in the child care provider's legal physical custody as a result of a court order and who resides in the provider's home. Tenn. Comp. & Regs. 1240-04-03-02(1)	None.
Drop-in Child Care Centers	Child care center - "child care facility that is licensed to care for seven or more children for less than 24 hours per day, at a location other than the provider's home, except as otherwise provided in § 746.237 of this title. 40 Tex. Admin. Code § 746.105(15)	The minimum standards in this chapter apply to the following types of child care facilities: (1) All child care centers licensed on or after September 1, 2003, to care for seven or more children for less than 24 hours per day at a location other than the provider's home, and (2) All child care facilities licensed on or after September 1, 2003, as day care center, kindergarten and nursery, school, school-age program, day program and above, or drop-in care center, regardless of whether the facility operates at the provider's home. 40 Tex. Admin. Code § 746.107(4). You, the parent holder, must ensure compliance with all minimum standards in this chapter at all times, with the exception of those minimum standards identified for specific types of child care programs or activities that your child care center does not offer. For example, if we license you to offer toddler and pre-kindergarten care programs, you do not have to comply with minimum standards that apply only to infant care, school-age care, or after-school care programs. However, you must comply with all other minimum standards. 40 Tex. Admin. Code § 746.108.
Child Care Homes	Child care home - "registered or licensed child care home, as specified in § 747.108 of this title (relating to What is a registered child care home?) or § 747.111 of this title (relating to What is a licensed child care home?). This section includes the program, building, grounds, furnishings, and equipment. 40 Tex. Admin. Code § 747.105(16). In a registered child care home, the registered primary caregiver provides care to the caregiver's own residence for no more than children from birth through 13 years, and may provide care for school-age children for not more than six additional elementary school children. The number of children in care at any given time, including the children related to the caregiver, must not exceed 12. 40 Tex. Admin. Code § 747.108. In a licensed child care home, the licensed primary caregiver provides care to the caregiver's own residence for no more than 13 years, unless the operation was licensed as a group day care home prior to September 1, 2003. No child care home licensed as a group day care home prior to September 1, 2003, may provide care at a location other than the primary caregiver's own residence, and the permit is no longer valid. A location, other than the primary caregiver's own residence, is subject to the minimum standards in this chapter and, if applicable, the conditions specified in § 746.237 of this title (relating to May I have more than one licensed child care home?) 40 Tex. Admin. Code § 747.111.	The minimum standards in this chapter apply to all: (1) Child care homes registered or licensed to care for seven or 12 or more children in the caregiver's own home for less than 24 hours per day; and (2) Family homes registered by us before September 1, 2003. 40 Tex. Admin. Code § 747.107(3). If the child care home is registered, the parent holder must ensure compliance with all minimum standards in this chapter, with the exception of any minimum standard requirements specified for licensed child care homes. The parent holder is not required to comply with minimum standards identified for specific types of child care programs or activities; the child care home does not offer, such as transportation or swimming activities. 40 Tex. Admin. Code § 747.111(4).
School Age and Before or After School Programs	Before and after school program - An operation that provides care before and after school or after the customary school day and during school holidays, for at least two hours a day, three days a week, to children who attend kindergarten through grade six. 40 Tex. Admin. Code § 744.105(7). School-age program - An operation that provides supervision and recreation, with instruction, or skills training for at least two hours a day and three days a week to children who attend pre-kindergarten through grade six, a school-age program operates before or after the customary school day and may also operate during school holidays, the summer period, or any other time when schools are not in session. 40 Tex. Admin. Code § 744.105(4)	The minimum standards in this chapter apply to the following types of operations: (A) All child care facilities licensed on or after September 1, 2003, to provide before and after school care program services exclusively; (B) All child care facilities licensed on or after September 1, 2003, to provide school-age program services exclusively; and (C) All child care facilities licensed before September 1, 2003, as a licensed child care facility exclusively providing before and after school program services or school-age program services on or after September 1, 2003, will be required to amend their minimum standards in this chapter. The amendments must be completed no later than September 1, 2013. 40 Tex. Admin. Code § 744.107. You, the parent holder, must ensure compliance with all minimum standards in this chapter at all times, with the exception of those minimum standards identified for specific types of child care programs or activities that your operation does not offer. For example, if we license you to provide care for school-age children exclusively, you would not be responsible for complying with rules regarding pre-kindergarten children; however, you must comply with all other minimum standards. 40 Tex. Admin. Code § 744.108.
Task General Definitions/Exemptions	None.	Care not in lieu of parental care. 1. A license is not required for care that meets all of the following: (a) The parent is physically present in the building where the care is provided, at all times while the care is being provided, and is near enough to reach his or her child to provide care within five minutes if needed. (b) The duration of care is less than four hours for any individual child in care; (c) The program does not replace children's care; (d) The program does not replace or substitute care provided to children. Utah Admin. Code - 420-B-6. Care under other government contracts. 1. A license is not required for care provided at a facility that is owned or operated by the federal government. 2. A license is not required for care provided by a program that is owned or operated by the federal government. 3. A license is not required for care provided as part of a service camp that operates at a federal camp and pursuant to a federal grant. 4. A license is not required for care provided by an organization that qualifies for tax exempt status under Section 501(c)(3) of the Internal Revenue Code, if: (a) The care is provided pursuant to a written agreement with a local municipality or a county; (b) The local municipality or county provides oversight of the program; and (c) All of the children in care are under age four. 5. A license is not required for care provided as a residential support program that is licensed by the Department of Human Services. Utah Admin. Code - 420-B-6. Mental Health Counseling. A license is not required for group counseling of children provided by a mental health therapist who is licensed to practice in the state, as defined in Utah Code § 38-6D-103. Utah Admin. Code - 420-B-6. Relative Care. The Department does not issue licenses or certificates to persons who only care for related children. Utah Admin. Code - 420-B-7. Care in the home of the provider. 1. A license or certificate is not required for care provided in the home of the provider for less than four hours per day, or for fewer than five children in the home at one time. 2. The Department does not issue licenses or certificates for care provided in the home of the provider in a separate room or separate facility. Utah Admin. Code - 420-B-8. Care provided by an educational institution. 1. A license is not required for care provided by a public school or as part of a course of study at a public school. 2. A license is not required for care provided at a public or private institution of higher education if the care is provided in connection with a course of study at the institution of higher education. 3. A license is not required for: (a) Care provided as part of a program administered by a private educational institution. (b) Care provided as part of a program administered by a public educational institution. 4. A license is not required for care provided by a parochial educational institution. Utah Admin. Code - 420-B-8. Child care in public facilities. Utah Admin. Code - 420-B-9.
Child Care Centers	A person or persons must be licensed as a child care center under this rule if: (1) They provide care in the absence of the parent; (2) They provide care in a place other than the provider's home in the child's home; (3) They provide care for five or more children, for four or more hours per day; (4) They provide care for each individual child for less than 24 hours per day; (5) The program is open to children on an ongoing basis for four or more weeks in a year; and (6) They provide care for direct or indirect compensation. Utah Admin. Code - 885-100-1.	See General Exemptions above.
Nursery Child Care Centers	A person must either be licensed under this rule or certified under § 640-50, 644, or 649: (a) Provide care in a day care center provided by a parent; (b) Provide care for five or more unrelated children; (c) Provide care for four or more hours per day; (d) Have a regularly scheduled, ongoing enrollment; and (e) Provide care for direct or indirect compensation. Utah Admin. Code - 420-90-101.	The Department does not license, nor is a license required for: (a) A person who cares for related children only; or (b) A parent who provides care in a separate room only. Utah Admin. Code - 420-90-101. See General Exemptions above.



Informal and Relative Family Child Care Home	No specific definition.  Informal Family Child Care Home Capacity: A. An informal family child care home shall have no more than three (3) child care slots at any one time. B. The number of children in the informal family child care home includes children under six (6) years old who live in the home. W. Va. Code § 19-20-4.5.	None.
Out of School Time Child Care Center	Out of school time program... is a program that offers activities to school children before and/or after school, on school holidays, when school is closed because of an emergency, and on school closure days set aside for inclement activities... School age program... services provided by child care centers for the care and supervision for school-age children. Such programs include summer recreation camps, day camps and out-of-school time programs. W. Va. Code § 19-21-3.1.	This rule does not apply to child care centers operating programs for children younger than school age who are not 4-Frank children; such programs are licensed under 78C53, Child Care Centers Licensing, W. Va. Code § 19-21-2.2.  A program shall comply with the provisions of W. Va. Code Chapter 49, Article 2 (Part 1), the requirements of this rule, terms of its license or certificate of approval and any plan of correction, unless a written waiver or variance has been granted by the Secretary. A program may not obtain a waiver of the requirements of this rule to the best of the facility's active compliance with the rule. W. Va. Code § 19-21-4.2.
<b>Licensee</b>		
Child Care Certification (Including Child Care Centers and School Age Programs)	"Certified child care home" or "home" means the residence in which the certified child care operator provides care of children and which meets the standards under s. DCJ 202.08 for the advancement of care by certification agencies. DCJ 202.02(2).  "Certified school-age child care program" means a program providing care and supervision in other than an operator's home for fewer than 24 hours a day for 7 or more school-age children and which is exempt from being licensed as a child care center under s. 44-61-11. Stats. DCJ 202.02(2).	EXCEPTION TO REGULATORY CERTIFICATION REQUIREMENTS: A county or tribal agency may grant an exception to any standard in s. DCJ 202.08 or 202.09 if the county or tribal agency determines that an alternative means meets the intent of the requirement, except for rules related to criminal background investigation required under s. 44-66-5, Stats. DCJ 202.04(5).
Day Camps for Children	"Day camp" or "day camp program" means a program that provides care and supervision to 4 or more children 3 years of age and older in a seasonal program oriented to the out-of-school care provided for no more than 24 hours a day. DCJ 212.04(5).	Included and excluded day camps. This chapter applies to all day camps but it does not include family child care centers, regulated under ch. DCJ 211 or to any of the following: (1) Group homes to develop a talent or skill, such as dance or music lessons, social group meetings and activities, and group athletic activities. (2) Care and supervision of children in a program, including religious education classes, which operates for no more than 4 hours a week. (3) Care and supervision while the parents are on the premises and are engaged in shopping, recreation or other non-work activities. (4) Seasonal programs of 10 days or less duration in any 3-month period, including day camps, vacation bible school and holiday child care programs. (5) Care and supervision in emergency situations. (6) Care and supervision while the parent is employed on the premises if the parent's child receives care and supervision for no more than 3 hours a day. (7) Care and supervision of the care while the parent who is a recipient of temporary assistance to needy families or Wisconsin Works is involved in orientation, enrollment or initial assessment prior to the development of an employability plan. DCJ 211.03.
Family Child Care Centers	"Family child care center" means a child care center licensed under s. 44-61, Stats., and ch. DCJ 210, DCJ 202.02(1).  "Family child care center" or "center" means a facility where a person provides care and supervision for less than 24 hours a day for at least 4 and not more than 8 children who are not related to the provider. DCJ 210.02(1).	INCLUDED AND EXCLUDED CARE ARRANGEMENTS: This chapter applies to all family child care centers, but does not include any of the following: (1) Care and supervision of children in a program that operates more than 4 hours a week. (2) Group homes to develop a talent or skill, such as dance lessons, social group meetings and activities, and group athletic activities. (3) Care and supervision while the parents are on the premises and are engaged in shopping, recreation or other non-work activities. (4) Seasonal programs of 10 days or less duration in any 3-month period, including day camps, vacation bible school and holiday child care programs. (5) Care and supervision while the parent is employed on the premises if the parent's child receives care and supervision for no more than 3 hours a day. (6) Care and supervision provided at the site of the recipient of temporary assistance to needy families, or Wisconsin Works, who is involved in orientation, enrollment or initial assessment prior to the development of an employability plan or the child care is provided where parents are provided training or counseling. DCJ 210.02(1).
Group Child Care Centers	"Group child care center" means a child care center licensed under s. 44-61, Stats., and ch. DCJ 211, DCJ 202.02(1).  "Group child care center" or "center" means a facility where a person for less than 24 hours a day provides care and supervision for 9 or more children who are not related to the provider. DCJ 211.02(1).	INCLUDED AND EXCLUDED CARE ARRANGEMENTS: This chapter applies to all group child care centers, whether the facility in which the child care and supervision are provided is known as a day care center, nursery school or preschool, head start or school-age child care program, or by any other designation, but it does not apply to the following: (1) Group homes to develop a talent or skill, such as dance lessons, social group meetings and activities, and group athletic activities. (2) Care and supervision while the parent is on the premises and are engaged in shopping, recreation or other non-work activities. (3) Care and supervision provided at the site of the recipient of temporary assistance to needy families or Wisconsin Works who is involved in orientation, enrollment or initial assessment prior to the development of an employability plan or the child care is provided where parents are provided training or counseling. (4) Seasonal programs of 10 days or less duration in any 3-month period, including day camps, vacation bible school and holiday child care programs. (5) Care and supervision in emergency situations. (6) Care and supervision while the parent is employed on the premises if the child receives care and supervision for no more than 3 hours a day. DCJ 211.02(1).
		EXCEPTION TO THE REQUIREMENT: The department may grant an exception to a requirement of this chapter when it is demonstrated to the satisfaction of the department that granting the exception will not jeopardize the health, safety or welfare of any child served by the center. A request for an exception shall be in writing, shall be sent to the department and shall include justification for the requested action and a description of any alternative provision planned to meet the intent of the requirement. DCJ 210.02(2).
		EXCEPTION TO THE REQUIREMENT: The department may grant an exception to a requirement of this chapter when it is demonstrated to the satisfaction of the department that granting the exception will not jeopardize the health, safety or welfare of any child served by the center. A request for an exception shall be in writing, shall be sent to the department and shall include justification for the requested action and a description of any alternative provision planned to meet the intent of the requirement. DCJ 211.02(2).
<b>Licensee</b>		
General Definition/Exception	"Child Care" is a service for families provided on behalf of children and their parents, and designed to supplement daily parental care. 1 Wyo. Code § 1501.	None.
Child Care Centers	None.	None.
Family Child Care Centers	No specific definition of "family child care center."  The licensee shall determine total capacity for the facility and the maximum capacity of 15 children shall never be exceeded. 6 Wyo. Code § 1504.	None.
Family Child Care Homes	No specific definition of "family child care home."  The operator shall never exceed the maximum capacity of child child children. 5 Wyo. Code § 1503.	None.
<b>Licensee</b>		
Childcare Facilities	The following child development services that are exempt from obtaining a license to operate a facility: (1) Day care... (2) Out-of-school-time education, and other services, supervision, and guidance for more than two (2) children, toddlers, and children that are not related to the regular home; (3) Includes the administration, program, and provision of a Child Development Facility, other parts of the building housing the facility, and adjoining grounds over which the administrator has direct control; and (4) Includes: (i) A Child Development Center ("Center"); (ii) A Child Development Home; (iii) An Approved Child Development Home ("Approved Home"); and (iv) An Out-of-School-Time (OST) Program. D.C. Mun. Regs. tit. 5, A, § 101.1.	The following child development services that are exempt from obtaining a license to operate a facility: (1) Out-of-school-time education, and other services, supervision, and guidance for more than two (2) children, toddlers, and children that are not related to the regular home; (2) Care provided in a child's home by a caregiver paid for by a child's family; (3) Care provided for more than one (1) child in a family share, as defined in this chapter; (4) Informal educational parent support group; (5) Adult groups or clubs that provide temporary babysitting as a benefit in order for members to utilize services; (6) Adult education programs that provide child care services while parents are on the same campus as the child attending a class or education program for a temporary period of time; (7) Child centered businesses that solely provide education, classes or activities including, but not limited to, tutoring, music, dance, sport, or art, while parent(s) or guardian(s) remain on the business' premises; (8) Care provided by a related person, as defined in this chapter; (9) Care provided by a parent, guardian, or relative caregiver; (10) Care provided by the Federal Government or Federal Government property, except that a privately owned facility that is on Federal government property is not exempt unless Federal law specifically exempts the facility from the District of Columbia's regulatory authority; (11) A District of Columbia public school or public charter school providing education services to children in grades pre-K through twelfth (12th) grade during a full school day; (12) A private school providing education services to children in grades pre-K through twelfth (12th) grade during the full school day; and (13) A community based organization providing only day education services to pre-K age children pursuant to the Pre-K Act and Bethesda CSD. (14) Facilities that provide only before school care, only after school care, or only summer camp for school age children; and (5) Facilities otherwise exempted by law. D.C. Mun. Regs. tit. 5, A, § 101.5.