

Exempt Child Day Program Filing

Office of Child Care Health and Safety



Child day programs that are exempt from licensure pursuant to the Code of Virginia § 22.1-289.030 B; excluding religiously exempt child day centers, certified preschools, and nursery programs; must file a statement with the Superintendent of the Virginia Department of Education (VDOE) prior to beginning operation of a child day program and annually.

Questions about exemptions from licensure or about this form should be emailed to cclexemptions@doe.virginia.gov.

Statement of Exemption

The information included in this document must be verified by the person, as defined by § [8.01-328](#) of the Code of Virginia, held legally responsible for adhering to the requirements in § [22.1-289.030](#) of the Code of Virginia.

Each location of a child day program must complete a separate "Statement of Exemption." All fields of this form are required. Please put "N/A" if a field is not applicable.

This Statement is required to be filed prior to beginning operation and annually thereafter. Please enter your "file number" below as noted in the letter you received acknowledging your current exemption or "N/A" if this is your initial filing.

File Number:

Identifying Information

Program Name:

Program Location Address:

Street Address: Apt/Suite:
Address 2:
City: State: Virginia Zip:

Program Email:

Phone #:

Program Website:

Tax ID Number:

Name of Legal Entity Sponsoring the Program:

Mailing Address of Legal Entity (if different than program):

Street Address: Apt/Suite:
Address 2:
City: State: Zip:

Designated Contact Person: First Name:

Last Name:

Contact Person Title:

Email Address:

Phone Number:

Program Information

Capacity (maximum number of children in care):

Age Range of Children:

Min. Yrs.

Min. Mons.

Max Yrs.

Max Mons.

Please check this box if the program will serve children 4 years of age turning five by September 30th.

Days of Operation (e.g., Mon.-Fri.):

Months of Operation (e.g., Jan.-June):

Hours of Operation (e.g., 7:00 a.m.-6:00 p.m.); include all hours if they vary depending on the time of year (e.g. summer hours and school year hours):

Actual Dates of Operation During the Calendar Year (only required if exemption in § 22.1-289.030 B3 is selected):

Are there any other programs that operate at this location? If Yes, please list.

Exemptions

Check the ONE exemption from licensure below that is MOST applicable to your child day program (if you are completing this form as part of your annual filing, you must mark the same exemption for which you originally filed):

Section 22.1-289.030 B.2 A program where, by written policy given to and signed by a parent or guardian, school-age children are free to enter and leave the premises without permission. A program that would qualify for this exemption except that it assumes responsibility for the supervision, protection, and well-being of several children with disabilities who are mainstreamed shall not be subject to licensure.

Section 22.1-289.030 B.3 A program that operates no more than a total of 20 program days in the course of a calendar year, provided that programs serving children under age six operate no more than two consecutive weeks without a break of at least a week.

Section 22.1-289.030 B.4 Child-minding services that are not available for more than three hours per day for any individual child offered on site in commercial or recreational establishments if the parent or guardian (i) can be contacted and can resume responsibility for the child's supervision within 30 minutes and (ii) is receiving or providing services or participating in activities offered by the establishment.

Section 22.1-289.030 B.6 A program of recreational activities offered by local governments, staffed by local government employees, and attended by school-age children. Such programs shall be subject to safety and supervisory standards established by the local government offering the program.

Section 22.1-289.030 B.7 A program offered by a local school division, operated for no more than four hours per day on full instructional days or for more than four hours per day on shortened instructional days or noninstructional days, staffed by local school division employees, and attended by children who are at least three years of age and are enrolled in public school or a preschool program within such school division. Such programs shall be subject to safety and supervisory standards established by the local school division offering the program.

Section 22.1-289.030 B.8 Child-minding services offered by a business on the premises of the business to no more than four children under the age of 13 at any given time and for no more than eight hours per day, provided that the parent or guardian of every child receiving care is an employee of the business who is on the premises of the business and can resume responsibility for the child's supervision within 30 minutes upon request.

Section 22.1-289.030 B.9 A program offered by a private school accredited by and in good standing with the Virginia Council for Private Education, operated for no more than four hours per day, staffed by the accredited private school's employees, and attended by school-age children who are enrolled in the accredited private school. Such programs shall be subject to safety and supervisory standards established by the Virginia Council for Private Education.

Section 22.1-289.030 B.10 A program that (i) serves only dependent children of military personnel and (ii) (a) is located on a military base or federal property or (b) is certified as a family child care provider by a branch of the Armed Forces of the United States. Any branch of the Armed Forces of the United States or its agent, including an installation commander of a military base on which a child day program is located, may assume responsibility for approving or determining which children may be served by the program that is so exempted from licensure.

If your program operates under § 22.1-289.030 B.10, does (a) or (b) apply?

Acknowledgments and Certifications

Please check each box below to certify that this child day program:

Has disclosed in writing to the parents or guardians of the children in the program the fact that this child day program is exempt from licensure.

Will report to the Superintendent all incidents involving serious physical injury to or death of children attending the child day program or reports of serious physical injuries, which shall include any physical injuries that require an emergency referral to an off site health care professional or treatment in a hospital, shall be submitted annually. Reports of deaths shall be submitted no later than one business day after the death occurred.

Has posted in a visible location on the premises a notice that the child day program is operating as a program exempt from licensure with basic health and safety requirements but has no direct oversight by the Department.

The following are not applicable to the Section 22.1-289.030 B.6 or Section 22.1-289.030 B.7 child day programs.

Please check each box below to certify that this child day program:

Has a person with current certification in first aid and CPR present at the child day program whenever children are present or at any other location in which children attending the child day program are present.

Maintains daily attendance records that document the arrival and departure of all children.

Has an emergency preparedness plan in place.

Complies with all applicable laws and regulations governing transportation of children.

Complies with all safe sleep guidelines recommended by the American Academy of Pediatrics.

NOTE: If the information you submit does not fully demonstrate that your program is exempt, we may request additional documentation.

Name of the person or representative legally responsible for operating the exempt program:

First Name

Last Name

Title:

Signature and attestation of the responsible individual:

By signing this document, I attest that the information above is true, accurate and complete.

Signature: