



CHILD CARE LICENSING EXEMPTION AFFIDAVIT IN A NONRESIDENTIAL BUILDING

State Form 56872 (12-19)
FAMILY AND SOCIAL SERVICES ADMINISTRATION

Minimum Standards /

LLEP Number: _____

Name of facility
Location of facility
Name of director
Name of ownership entity

I, _____, declare the following to be true under penalty of perjury:

The Indiana legal definition of "child care" is:
IC 12-7-2-28.2

Sec. 28.2. "Child care," for purpose of IC 12-17.2 and IC 12-17.4, means a service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth.

The above program at the above location meets this definition.

Yes No

The Indiana legal definition of "child care center" is:
IC 12-7-2-28.4

Sec. 28.4. "Child care center," for purposes of IC 12-17.2, means a nonresidential building where at least one (1) child receives child care from a provider:
(1) while unattended by a parent, legal guardian, or custodian;
(2) for regular compensation; and
(3) for more than four (4) hours but less than twenty-four (24) hours in each often (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

1. Is this site a "nonresidential building"? <input type="checkbox"/> Yes <input type="checkbox"/> No	2. If Yes, is at least one child served at this site? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Are all parents, legal guardians, or custodians absent when child care service is given? <input type="checkbox"/> Yes <input type="checkbox"/> No	4. Is this facility paid for this service either by parent, guardian, custodian, or by a third party payer? <input type="checkbox"/> Yes <input type="checkbox"/> No
5. Is at least one child here more than four (4) hours per day, but less than twenty-four (24) hours per day? <input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Is the daycare open 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	

If you answer Yes to all of the questions 1 – 6, a child care center license may be required.

If you do not feel you should be licensed as a center, mark the exemption below that best describes your program. (Please choose only one exemption.)

7. A program for children who become at least three (3) years of age as of December 1 of a particular school year (as defined in IC 20-10.1-2-1) that is operated by the department of education or public or private school?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. A nonresidential program for a child that provides child care for less than four (4) hours a day?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. A recreational program for children that operates for not more than ninety (90) days in a calendar year? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, begin date (month, day, year) _____ End date (month, day, year) _____
10. A program whose primary purpose is to provide social, recreational, or religious activities for school age children, such as scouting, boys club, girls club, sports, or the arts?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. A program operated to serve migrant children that a. provides services for children from migrant worker families; and b. is operated during a single period of less than one hundred twenty (120) consecutive days during a calendar year? (If question 18 is Yes, refer to licensing.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. A child care ministry registered under IC 12-17.2-6? (If Yes, these are done through the Office of Early Childhood and Out of School Learning.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. A child care home if the provider (in a residential structure): a. does not receive regular compensation; b. cares only for children who are related to the provider; c. cares for less than six (6) children, not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative; or operates to serve migrant children.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. A child care program operated by a public or private secondary school that a. provides day care on the school premises for children of a student or an employee of the school; b. complies with health, safety, and sanitation standards as determined by the division under IC 12-17.2-2-4 for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under IC 12-17.2-2-10; and c. substantially complies with the fire and life safety rules as determined by the State Fire Marshal under rules adopted by the division under IC 12-17.2-2-4 for child care centers approved by the division under IC 12-17.2-2-10?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. A school age child care program (commonly referred to as a latch key program) established under IC 20-26-5-2 that is operated by: a. the Department of Education; b. a public or private school; or c. a public or private organization under a written contract with the Department of Education or a public or private school	<input type="checkbox"/> Yes <input type="checkbox"/> No

On the basis of the above information I consider myself, or the corporate entity I represent, to be exempt from child care licensing at the site located at

(number and street, city, state, and ZIP code)

that is the site entered on the first page of this form.

Signature of operator

Date signed (month, day, year)

NOTARY CERTIFICATE (SWORN OATH)

STATE OF _____

COUNTY OF _____

I, _____, having been duly sworn on oath, say that I am the above named operator, that I have personally prepared the foregoing statement, and that the same is true to the best of my knowledge and belief.

Signature of operator

Signature of Notary Public

Printed name of applicant

Printed name of Notary Public

Date subscribed and sworn to Notary Public (month, day, year)

County of residence

Date commission expires (month, day, year)

DESCRIBE YOUR PROGRAM – Attached additional sheets, if needed.

Hours of operation	Ages of children served	Will you be providing summer care at this location? <input type="checkbox"/> Yes <input type="checkbox"/> No
Days of the week open <input type="checkbox"/> Sunday <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday		

This Affidavit will be reviewed by the Office of Early Childhood and Out of School Learning to see if your program meets the definition of the exemption chosen. More information may be requested, if needed.