

Application for Variance or Waiver
(Please read all instructions before completing form)

I would like to apply for a variance or waiver and submit the following information for consideration:

1. Name of Licensed Program _____
Street Address _____
City, State Zip _____
County _____ Phone number _____
Facility Type: (Check one) CCLC FDCH
License Number _____

2. Contact Person _____
Title _____ Cell _____
E-mail _____
Mailing Address _____
City, State, Zip _____

3. Specific rule number for which variance or waiver is being requested: **290-2-3-.07(2)(a-g) - educational credentials/degrees**

4. Action requested (Check one): Variance Waiver

A. Request a maximum of six months to enroll in a program of study to obtain one of the education credentials listed in the above rule and a maximum of 24 months from the date permission-to-operate is granted to complete the program and obtain the credentials.

B. Currently enrolled in a program of study to obtain one of the educational credentials listed in the above rule and request a maximum of 18 months from the date permission-to-operate is granted to complete the program and obtain the credential.

C. Comparable credential (list credential and submit written documentation): _____

5. Facts supporting a claim of substantial hardship for the applicant and which are believed to justify the variance or waiver:

Effective July 1, 2009, family child care providers must meet one of the education requirements listed in the above rule. The family child care provider has been unable to complete the credential requirement prior to submitting an Application for License due to financial or other life circumstances. Without either the credential or variance approval, the applicant will not be licensed and therefore may be unable to financially support herself and/or her family.

6. Alternative standards that the applicant agrees to meet instead of the rule:

The applicant agrees to (a) enroll in a program of study to obtain one of the credentials listed in the above rule within a maximum of six months from the date permission-to-operate is granted and to complete the program and obtain the credential within 24 months of the date permission-to-operate is granted ; or (b) complete the program of study in which already enrolled and to obtain the credential within 18 months of the date permission-to-operate is granted; or (c) submit proof of credential that is comparable to an education credential listed in the above rule. Further, the applicant will obtain all training required by the Bright from the Start Rules for Family Child Care Learning Homes.

7. Explain how the alternative standards will afford adequate protection for public health, safety, and welfare:

The alternative standards will enable applicant to become licensed. Once licensed, the provider will be monitored for compliance with Bright from the Start Rules for Family Child Care Learning Homes and will participate in Quality Rated while working on their credential. The health and safety of the children served will be protected by compliance with and monitoring of the rules while the provider works to obtain an education credential.

8. Explain why the variance or waiver requested would serve the purpose of the underlying statute:

The purpose of the underlying statute is to improve the quality of licensed family child care learning homes by requiring an increase level of professional development for child care providers. Research has shown that children benefit from the quality and continuity of care and learning from consistent caregivers with background knowledge of child development, best learning practices for children, health and safety issues, working with parents, and operating a small business. Approval of this variance would enable more family providers to become licensed with an increase in the quality of care and to provide more availability and choice of higher quality care for parents.

9. The length of time that the variance or waiver is requested to remain in effect: _____

Signature _____

Title _____ Date _____

Instructions: Application for Variance or Waiver

In order to process your request for a variance or waiver, you must complete an **Application for Variance or Waiver**. All requested information must be supplied in order for your application for a variance or waiver to be considered. If you require additional space to explain your request, you may attach a continuation sheet. You should also attach supporting documentation, such as pictures, research data, proof of education and training, etc.

- 1. Facility Information:** List the name of the center or the home provider that is on the license or on the Application for License. Complete the street address, city, state, zip phone number, and county for the program. Check if the facility is a Child Care Learning Center (CCLC) or a Family Child Care Learning Home (FCCLH). List the license number.
- 2. Contact Person:** This person will often be the administrator of the facility. However, the contact person could be the owner or other person designated by the license holder to represent the facility. List this person's current e-mail address and complete mailing address. Approval letters will be e-mailed; denial letters will be sent by certified U.S. mail.
- 3. Legal Owner:** List the name, complete mailing address, and phone number of the person, partnership, association, corporation, or agency to whom the license was/will be issued. If different than the contact person, be sure to include a current e-mail address.
- 4. Rule Number:** List the rule for which you are requesting a variance or waiver. Submit a separate application for each different rule number.
- 5. Variance/Waiver:** Determine whether you are seeking a variance or waiver and select one. Most requests are for variances. A variance is a request to permit some departure or variation from the literal requirements of the rule, e.g. the rule requires a six foot (72 inches) wide hall and your hall is 70 inches wide. A waiver is a request to dispense entirely with the specific rule.
- 6. Supporting Facts:** Explain how complying with the rule would cause you a substantial hardship and include any other information you believe justifies your application. (Example: hall would have to be completely remodeled to add 2 inches to comply with the rule. Costs will be prohibitive.) Give details.
- 7. Alternative Standards:** List the alternative standards or conditions you are willing to meet which relate to the underlying purpose of the rule for which a variance or wavier is being requested. (Example: hallways will be kept clear of furniture.)
- 8. Explanation of Alternative Standards:** Explain how the standards or conditions listed in Section 5 will provide adequate protection for the health, safety, and welfare of the children receiving care through your licensed facility or program. (Example: wide hallway is to ensure that public can exit the premises easily. Keeping the hall free of all furniture should ensure that people will be able to leave the area easily.)
- 9. Purpose of Rule:** Explain why you believe the variance or waiver would serve the purpose of the rule. (Example: Licensing rule exists to ensure that care is delivered safely. Variance with additional voluntary standards provides for safe care.)
- 10. Length of Time:** Variance/waiver will generally remain in effect as long as the current licensee holds the license. If the application is for an experimental variance or waiver or conditions exist where the need for the variance is time-limited, state how long you request the variance or waiver to last (e.g., six months, one year, two years, five years, etc.)

Bright from the Start
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive SE, 670 East Tower
Atlanta, Georgia 30334
KEEP A COPY FOR YOUR RECORDS