



# Exemptions Overview

Child Care Services



Georgia Dept  
of Early Care  
and Learning  
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# Exemptions Overview

## Goals

Develop an understanding regarding the:

- Exemption Definition
- Who can be Exempt
- Exemption Requirements
- Exemption Categories
- Frequently Asked Questions
- Things to Remember



# What is an Exemption?



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- All programs providing group care for children shall obtain either a License, Permit or a commission for an early care and education program or an exemption from the Department, as applicable.
- Any person or entity operating or planning to operate a program that meets the criteria for exemption from licensure, shall either apply to the Department for exemption by submitting the Department's online application for exemption or complete an online self-assessment through the Department, whichever is applicable.



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# Exemption Requirements

for Categories 1, 5, & 7

- On the Exemption Application, all the information provided must be truthful and accurate.
- Maintain attendance records for all children.
- Maintain parental acknowledgement forms and attendance records on-site.





# Exemption Requirements

for Categories 1, 5, & 7

- Additionally, the program is required to meet and maintain all state and local municipality approvals and provide them to the Department if requested. The Department may rescind an approved Exemption if the program fails to comply with state and local municipalities.
- Notify Bright from the Start within five days if the program stops operating, closes or loses accreditation.
- Make all records available to Bright from the Start upon application and/or request.



# Applying for an Exemption



An online exemption application is required only for Category 1- Government Owned and Operated, Category 5-Current licensed faith-based programs, and Category 7- Day Camps and School Breaks.

All other programs will need to complete the self-assessment to determine self exempt status or the need to apply for a license.

The program must submit a completed Exemption Application at [www.decal.ga.gov](http://www.decal.ga.gov) or via DECAL Koala and provide the required supporting documentation.

For program changes, the applicant must submit an Exemption Amendment application.

# Exemption Categories




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CURRENT EXEMPTION CATEGORY	CHANGES FROM PREVIOUS CATEGORIES
<p><b>Category (1) - Government Owned &amp; operated</b></p>	<p><b>Category 1: Government Owned and Operated</b>            -Remains the same in the new plan.            *CAPS eligible must apply using current processes.</p> <p>*If program will not receive CAPS, the program can self-assess.</p>
<p><b>Category (12) – School ages program operated or in affiliation with a national membership non-profit.</b></p>	<p><b>Category 2: National membership School Aged</b>            -School age programs operated by or affiliated with national membership that charges a membership fee for children.</p> <p>*Self-Assess</p>
<p><b>Category 2: Private schools that operate during the customary school day.</b>  <b>Category 3: Accredited private schools providing before and after school care.</b>  <b>Category 4: Accredited private, non-public schools for four (4) year old children.</b></p>	<p><b>Category 3: Private Schools</b></p> <p>(i) A private, either accredited or non-accredited, educational program which provides education in any grades from kindergarten through 12th grade, that operates during the school term for the customary school day, as defined by Georgia law, but that does not provide care before, after, or both before and after the customary school day.</p> <p>(ii) A non-accredited private educational program which provides education in any grades from kindergarten through 12th grade, and which provides care before, after, or both before and after the customary school day, as defined in Georgia law, to its students as an auxiliary service.</p> <p>(iii) An accredited private educational program with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private educational program that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private educational program and the program is staffed with employees of that private school.</p> <p>*Self-Assess</p>

Current Exemption Category	Changes from Previous Categories
<p><b>Category 5: Parent's morning or night out.</b>  <b>Category 6: Programs for ages two (2) through six (6) that operate no more than four (4) hours per day.</b>  <b>Category 8: Short-term educational or rec activities</b>  <b>Category 9: Parents on site</b>  <b>Category 10: Single skill activity after the customary school day</b>  <b>Category 11: Short term educational programs offered to school age children, five (5) and older.</b></p>	<p><b>Category 4: Short term care</b>  - Children can only attend four (4) hours a day.  - Excludes before and after care programs.  - Includes all ages.  This may include part-time preschool, parent's morning or night out, short-term education or recreational classes, single skill activities. This excludes before and after care for children.  *Self-Assess</p>
<p><b>Category 14: A center part of an established religious congregation or school, must be licensed first.</b></p>	<p><b>Category 5: Faith-based Accredited or Religious Schools</b>  -Process remains the same.  -Programs must be licensed first, then apply for an exemption.  -Program must be accredited for all ages in which they are applying for.</p>
	<p><b>Category 6: Reserved</b></p>
<p><b>Category 7: Day Camp programs for children five (5) and older .</b></p>	<p><b>Category 7: Day Camp programs and school break</b>  ---Children five(5) and older.  *CAPS eligible must apply using current processes.  *If program will not receive CAPS, the program can self-assess.</p>
<p><b>Category 13: Any program that is free.</b></p>	<p><b>No longer required for an exemption.</b></p>

Category	Description	Other
<p style="text-align: center; font-size: 2em; font-weight: bold;">1</p>	<p style="text-align: center; font-size: 1.5em; font-weight: bold;">Government Owned and Operated</p> <p>Programs which are owned and operated by any department or agency of state, county, or municipal government. This includes, but is not limited to, the customary school day, as defined in Georgia law, and before- and/or after-school programs in public schools operated by the public school system and staffed with school system employees, recreation programs operated by city or county parks and recreation departments and staffed with city or county employees, and charter schools that operate under the terms of a charter or contract, with an authorizer, such as the state and local boards of education in accordance with the Charter Schools Act, O.C.G.A. § 20-2-2060 <i>et seq</i>, and is recognized by the State Charter Schools Commission of Georgia.</p> <p>*CAPS eligible must apply using current processes</p> <p>*If program will not receive CAPS, the program can self-assess</p>	<p>*If the program will not receive CAPS, the program can Self-Assess.</p> <div style="text-align: right; padding-top: 20px;">  <p><b>Georgia Dept of Early Care and Learning</b> <small>BRIGHT FROM THE START</small></p> </div>



Category	Description	Other
<p><b>2</b></p>	<p align="center"><b>National Membership School-Aged</b></p> <p>Any program or facility providing care for school-aged children that is operated by, or in affiliation with a national membership non-profit organization that was created for the purpose of providing youth services and youth development, that charges a membership fee for children and may receive monthly, weekly, or daily fees for services. Such program or facility holds membership in good standing and is certified by its national association as complying with the association’s purposes, procedures, minimum standards, and mandatory requirements.</p>	<p>Self-Assess</p>

Category	Description	Other
<p style="text-align: center;"><b>3</b></p>	<p style="text-align: center;"><b>Private Schools</b></p> <p>Private school programs that meet one or more of the following:</p> <p>(i) A non-accredited private school which provides education in any grades from kindergarten through 12th grade, and which provides care before, after, or both before and after the customary school day, as defined in Georgia law, to its students as an auxiliary service.</p> <p>(ii) Accredited private non-public educational programs with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private non-public school that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private non-public school and the program is staffed with employees of that private non-public school.</p> <p>(iii) An accredited private educational program with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private educational program that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private educational program and the</p>	<p>Self-Assess</p>



Category	Description	Other
<p style="text-align: center;"><b>3</b></p>	<p style="text-align: center;"><b>Private Schools</b></p> <p>(iii) An accredited private educational program with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private educational program that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private educational program and the program is staffed with employees of that private school.</p>	<p>Self-Assess</p>



Category	Description	Other
<p style="text-align: center;"><b>4</b></p>	<p style="text-align: center;"><b>Short Term Care</b></p> <p>A program serving children for no more than four (4) hours a day, excluding before and after school care. This may include part-time preschool, parent's morning or night out, short-term educational or recreational classes, or single skill activities.</p>	<p>Self-Assess</p>

Category	Description
<b>5</b>	<h2 data-bbox="529 282 2181 344">Licensed Faith Based Accredited or Religious Schools</h2> <p data-bbox="466 411 2440 858">A Center that is licensed by the Department may request an exemption from licensure if the Center’s program is an integral part of an established religious congregation or religious school that conducts regularly scheduled classes, courses of study, or educational programs and is a member of, or accredited or certified by a state, regional, or national accrediting agency for religious educational instruction or a state, regional, or national accrediting agency for educational instruction as recognized and approved by the Department if such accrediting entity uses standards that are substantially similar to those established by the Department. In addition to the requirements listed above applicable to all exemptions, the following additional requirements shall apply to Centers seeking an exemption under this provision:</p> <p data-bbox="466 918 2415 1162">(i) A Center seeking such exemption from licensure shall be required to submit to the Department documentation of certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and any other pertinent documentation as requested by the Department, such as non-profit tax-exempt verification. The accrediting agency must conduct regularly scheduled visits to the program while such program remains accredited.</p>

## Category

## Description

**5**

### **Licensed Faith Based Accredited or Religious Schools**

- ii) If such exemption is granted, the program shall submit annual documentation to the Department verifying its continued certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and other pertinent documentation as may be requested by the Department.
- (iii) Such exemptions granted by the Department are valid as long as the program remains certified or accredited for all ages in which the certification or accreditation is approved. The program shall provide the Department written notice within five (5) business days of the program's loss of certification or accreditation, including a copy of such notification from the certifying or accrediting entity. The Department shall rescind the program's exemption granted herein upon notification of the loss of certification or accreditation.
- (iv) Any Center seeking such exemption shall comply with all applicable requirements for background checks for Directors, Provisional Employees and Employees as required in O.C.G.A. § 20-1A-30 *et seq.*, Chapter 591-1-1, Rules for Child Care Learning Centers, Department policies, as well as applicable local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements while such exemption is in effect. The Department retains jurisdiction over programs granted such exemption to conduct unannounced periodic background check audits and to conduct complaint investigations regarding compliance with background check requirements, as well as compliance with local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.



Category	Description
<b>5</b>	<p data-bbox="631 292 2283 354" style="text-align: center;"><b>Licensed Faith Based Accredited or Religious Schools</b></p> <p data-bbox="445 421 2407 564">(v) The Department may rescind such exemption for a program’s failure to comply with the requirements for background checks for directors/employees pursuant to O.C.G.A. § 20-1A-30 <i>et seq.</i>, Chapter 591-1-1, Rules for Child Care Learning Centers, and Department policies.</p> <p data-bbox="445 621 2382 714">(vi) Any Center applying for such exemption that is owned and/or under the legal control/direction of the certifying or accrediting entity shall not be approved by the Department.</p> <p data-bbox="445 771 2433 913">(vii) A Center seeking such exemption shall adopt and comply with the minimum standards of its certifying or accrediting entity for the operation of the Center’s program. Such minimum standards adopted by the Center shall be published and made available to Parents of enrolled or prospective children upon request.</p> <p data-bbox="445 971 2305 1063">(viii) A program granted such exemption shall comply with the requirements regarding notification to Parents of enrolled children if the program does not carry liability insurance.</p>

Category	Description
<b>6</b>	<b>Reserved</b>

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Description

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## Day Camp Programs or School Breaks for School-Aged Children

Any program whose primary purpose is to provide organized recreational, religious, or instructional activities for children five (5) years and older that is operated during summer and other school breaks for no more than twelve (12) hours per day.

\*CAPS eligible must apply using current processes.

\*If program will not receive CAPS, the program can self-assess.



# DECAL KOALA

Self-Assessment

Exemption Application Submission

Exemption Amendment Application Submission

Closure Request

Comprehensive Background Checks (EX-1, and EX-7, that receive CAPS along with EX-5)



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# Exemption Visit Types

- **CAPS Monitoring Visits**

- Site visits completed for programs that receive CAPS funding. (Categories 1 & 7)

- **Unlicensed Complaint Investigation Visits**

- Exempt programs operating outside of the approved conditions, or a program operating without a license or exemption.





# Things to Remember...



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Exemption approvals are limited to one location/address.

Multiple locations for the same provider, are required to meet state and local municipality approvals for each site address.

A new application is required if there is a new location, a new exemption category, or a change of ownership.

Age and time limitations stated in the exemption conditions are firm.

Family Child Care Learning Homes and private residences are not eligible for an exemption.







## Exemption Facts

- Programs must be in compliance with the requirements for zoning, fire, and building authorities. Exemption approval or deeming as self-assessed, does not exempt a program from state and/or local county approvals.
- A licensed and an exempt program may operate at the same location under certain guidelines. Programs must be kept separate and cannot share exits/entrances, playgrounds, restrooms nor classrooms.



The Exemption Unit does not approve programs for **Childcare and Parent Services (CAPS)**.

**There are only two categories that are eligible to receive CAPS funding:**

Category 1 – Government owned/operated (local school systems, parks and recreation, etc.)

Category 7 – Day Camp and School Breaks

For specific information about the Childcare and Parent Services (CAPS) program visit [www.CAPS.decal.ga.gov](http://www.CAPS.decal.ga.gov).



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Exemption rules can be found in Chapter 591-1-1-.46 of the CCLC Rules & Regulations.

Exemptions are created under statutory authority under O.C.G.A 20-1A-14 (b) of Georgia law.

Copies of the current Exemption Rules and Exemption Application are available at <http://dec.al.ga.gov/ChildCareServices/Exemptions.aspx>.



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The background of the entire image is a repeating pattern of colorful speech bubbles. Each bubble is a different color (red, yellow, pink, white, grey) and contains a large, dark blue question mark. The bubbles are scattered across the frame, creating a vibrant and busy visual texture.

# Questions or Comments?

**Contact our department: Exemptions Unit**

- Fax: 404-232-1931
- Phone: 770-293-5977
- Email: [CCSExemptions@dec.al.ga.gov](mailto:CCSExemptions@dec.al.ga.gov)