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**Family Child Care Licensing**

**POLICY STATEMENT: Informal Cooperative Arrangement and Occasional Care**

Family child care regulations exempt some care taking relationships from licensure, including occasional care and informal cooperative arrangements among neighbors or friends. Child care must be either licensed/licensable (license required) or exempt (no license required). Exempt care cannot be combined with licensed care.

In determining whether a care taking arrangement is exempt from licensure, the Department first determines whether a family child care home is operating on a regular basis. If it is, then the Department reviews the child care being provided to determine whether it is an informal cooperative arrangement or the occasional care of children.

**Regular Basis**

A family child care home is operating on a "regular basis" if the care is available for more than one day per week and for more than eight weeks in a twelve-month period. If the care being provided does not meet both of these criteria, it is not subject to licensure.

**Occasional Care**

Occasional care occurs when no child is present more than one day per week or more than a total of 8 hours in a week, or when no child is in care for more than 30 days from the initial date of placement. If the care provided does not exceed either of these limits, then it is not subject to licensure.

**Informal Cooperative Arrangement**

Care taking is an informal cooperative arrangement among neighbors or relatives if any of the following circumstances apply:

* all children in care are related to the caretaker by blood, marriage or adoption; or
* parents care for each other's children on an equal, informal basis. They do so by feeding, napping, diapering or supervising the child(ren). There are no hired personnel and no-one receives monetary or non-monetary compensation for their services; or
* care is provided to only one child unrelated to the caretaker and is determined to be informal and cooperative because the relationship between the caretaker and parent(s) is based on friendship or common interests such as school, community, church, charitable or volunteer work or similar activities, and the relationship between the parents and the caretaker pre-dates the care taking situation.

In making any determination on an application for exemption, the Department will consider whether the caretaker is currently or was formally licensed by the Department and if so, whether the Department has taken legal action against the caretaker or accepted a voluntary surrender of a license in circumstances where enforcement would have been justified. Further, the Department will consider whether the caretaker cooperated with the Department and was truthful in providing the information necessary to evaluate the exemption request.