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Title 22@ Social Security

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Division 12@ Child Care Facility Licensing Regulations

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Chapter 1@ Child Care Center General Licensing Requirements

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Article 3@ Application Procedures

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Section 101175@ Waivers and Exceptions for Program Flexibility

## **101175 Waivers and Exceptions for Program Flexibility**

### **(a)**

Unless the licensee receives prior written departmental approval for a waiver or an exception as specified in (b) below, the licensee shall maintain continuous compliance with all licensing regulations.

### **(b)**

The Department has the authority to approve the use of alternate concepts, programs, services, procedures, techniques, equipment, space, personnel qualifications or staffing ratios, or the conduct of experimental or demonstration projects, under the following circumstances: (1) Such alternatives shall be carried out with provisions for safe and adequate services, and shall in no instance be detrimental to the health and safety of any child in care. (2) The applicant or licensee shall submit to the Department a written request for a waiver or an exception and substantiating evidence supporting the request. (3) Within 30 days of the receipt of a request for a waiver or an exception, the Department shall notify the applicant or licensee in writing of the approval or denial of the request, or of the need for additional information to substantiate the request. (A) The licensee shall maintain and make available for review, at the child care center, a copy of the written approval or denial.

### **(1)**

Such alternatives shall be carried out with provisions for safe and adequate services,

and shall in no instance be detrimental to the health and safety of any child in care.

**(2)**

The applicant or licensee shall submit to the Department a written request for a waiver or an exception and substantiating evidence supporting the request.

**(3)**

Within 30 days of the receipt of a request for a waiver or an exception, the Department shall notify the applicant or licensee in writing of the approval or denial of the request, or of the need for additional information to substantiate the request. (A) The licensee shall maintain and make available for review, at the child care center, a copy of the written approval or denial.

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