

LICENSE EXEMPT DAY CARE FACILITIES

Preschool programs which are an integral part of a local church ministry or a religious nonprofit elementary school, and are so recognized in the church or school's documents, are not required to be licensed by the department of Human Resources, provided that the following material is submitted to the department ([view Alabama Code §38-7-3](#)):

To be exempt to operate a day care/nighttime facility, the facility shall:

- A. Notify the Department of Human Resources (DHR) at least 30 days prior to operating, to be inspected by the Department and be in compliance with requirements before the facility may begin operating.
- B. Provide a written inspection report with no violations cited (from a representative of the State Fire Marshal's office or a local fire inspector who enforces the current fire code adopted by the State Fire Marshal) annually.
- C. A written health department inspection report obtained from the county health department annually.
- D. Provide employee names and their [criminal history](#) information pursuant to [view Alabama Code §38-7-3](#)
- E. Provide proof of property, casualty, and liability insurance in the amount of 1 million per occurrence, 2 million aggregate annual limits, general liability policy (medical pay coverage should be part of the package), as prescribed by the Department.
- F. Provide the Department upon request, immunization verifications for all children, and medical history forms for all staff and children and certify that the records are being maintained by the church or school.
- G. Provide the Department within 30 days any updated fire inspection report, health inspection report, new criminal background check suitability letters, or receipt of updated insurance information.
- H. Provide notice to parents or guardians of all the following information prior to enrollment of a child in the child-care facility:
 - a. Staff qualifications,
 - b. Pupil staff ratios,
 - c. Discipline policies,
 - d. Type of curriculum used in the learning program,
 - e. Religious teachings to be given each child, and
 - f. Type of lunch program available.
- I. Post in plain view in a public area a statement that the program is not regulated or licensed by the Department of Human Resources.
- J. Require all parents or guardians to sign an [affidavit](#) annually stating that the parent or guardian has been notified by the responsible individual of the church or school that the child-care facility has filed notice to the Department and is exempt from licensure and regulation by the Department. The child-care facility shall file the affidavits annually with the Department for all enrolled parents.
- K. Allow the Department to inspect the facility at any time if it has reasonable cause to believe the facility is not in compliance with the exemption requirements or the safety of a child is at risk.
- L. Have a responsible individual of the child-care facility file an [affidavit](#) annually with the Department certifying that they have satisfied all the requirements of the exemption.

To find out if your child-care provider is licensed, click here: [Statewide Day Care Directory](#)