Regulations, Definitions and Clarifications for Policy and Procedure 9020:

Regulations

HSPPS 1302.47(b)(1)(i) All facilities where children are served, including areas for learning, playing, sleeping, toileting, and eating are, at a minimum: Meet licensing requirements in accordance with §§1302.21(d)(1) and 1302.23(d)

HSPPS 1302.21(d)(1) The facilities used by a program must meet state, tribal, or local licensing requirements, even if exempted by the licensing entity. When state, tribal, or local requirements vary from Head Start requirements, the most stringent provision takes precedence.

HSPPS 1302.23(d) A family child-care provider must be licensed by the state, tribal, or local entity to provide services in their home or family-like setting. When state, tribal, or local requirements vary from Head Start requirements, the most stringent provision applies.

Missouri Statute, 210.211, RSMo-Exemptions-certain child care facilities are not required to obtain a child care license from the Department of Health and Senior Services (DOHSS). Additionally, programs that are exempt do not fall under our (DOHSS) full regulatory authority. To document the exemption, these programs may file a Program Evaluation Questionnaire (DC-20) with the Department in order to obtain an exemption assessment. The exemption process is reviewed in our central office.

Exemptions are set forth in Missouri Statute, 210.211, RSMo. Any person who is caring for four or fewer unrelated children is not required to be licensed and does not have to contact us (DOHSS) to report he/she is providing child care.

Other programs such as nursery schools and programs operated under the exclusive control of a religious organization are license-exempt. Programs such as these, under the exemptions stated in 210.211 RSMo, should file a Program Evaluation Questionnaire (**DC-20**) provided to the Department so an exemption assessment can be made.

Missouri Revised Statutes
Chapter 210
Child Protection and Reformation
Section *210.201*

Definitions

210.201. As used in sections 210.201 to 210.257, the following terms mean:

(1) "Child", an individual who is under the age of seventeen;

(2) "Child-care facility", a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment which provides child care as a convenience for its customers or its employees for no more than four hours per day, but a child-care facility shall not include any private or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year-old children, a home school, as defined in section 167.031, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization. If a facility or program is exempt from licensure based on the school exception established in this subdivision, such facility or program shall submit documentation annually to the department to verify its licensure-exempt status; except that, under no circumstances shall any public or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year old children, a home school, as defined in section 167.031, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization be required to submit documentation annually to the department to verify its licensure-exempt status;

Head Start
MID-AMERICA REGIONAL COUNCIL

MARC Head Start Definition Clarifications

Licensed Child Care Facilities- a child care facility that meets the Missouri Department of Health and Senior Services (MODOHSS) Child Care Regulations for Group Child Care Homes and Child Care Centers. A child care facility does not qualify for exemption from licensure unless it is under the exclusive control of an entity qualifying for exemption under section 210.211, RSMo.

License-Exempt Child Care Facilities- programs such as nursery schools and programs operated under the exclusive control of a religious organization are license-exempt and meet the MODOHSS Child Care Regulations for License-Exempt Child Care Centers.

Exempt Child Care Facilities-programs that are operated by a school district and have received exempt status approval from the MODOHSS. There aren't Child Care Regulations for exempt child care facilities.

Per Missouri statute, school districts are exempt and must file a Program Evaluation Questionnaire (**DC-20**) with the MODOHSS in order to obtain an exemption assessment. Facilities that are exempt do not fall under full regulatory authority by MODOHSS Child Care Regulations and; therefore, do not have applicable State or local licensing standards.

Reviewed: 8/13/25