

Early Childhood Services Child Care Services Bureau



Waiver/Variance Request Form

Name of Facility:			
Name of Director:			
Address:			
City:	Zip:	Phone Number: ()
Email:	-		,

A waiver is an "allowance granted by the licensing authority to permit non-compliance with a specified regulation for a specified, limited period of time." A variance is "an allowance granted by the licensing authority to permit non-compliance with a specified regulation for the period of licensure" (8.16.2.7 NMAC). Variances are for "building requirements that cannot be corrected without an unreasonable expense to the child care facility" (8.16.2.15 NMAC). The granting of waivers and variances is at the sole discretion of the licensing authority.

In requesting a waiver from compliance with any licensing regulation(s), please complete this form and submit the following documentation to the Children, Youth and Families Department (CYFD) for review:

Brief Statement of Intent: Briefly describe the facility's intent and reasoning for the need of a waiver/variance from licensing regulations 8.16.2 NMAC. <u>Include the licensing regulation(s) for which you are requesting a waiver/variance and the period of time for which the waiver is needed.</u>

Statement of Community/Regional Need: Describe the extent of community/regional need for child care services and the impact the denial of a waiver/variance would have on child care services in your community/region. Include information such as the number of families expressing need or interest in your child care facility.

Plan of Action: If requesting a waiver, describe the steps the facility will implement in order to reach compliance with the licensing regulation(s) for which you are requesting a waiver and a plan explaining how the facility will ensure the safety and needs of the children are met during the period of the waiver. Include a timeline for which the steps of the plan will be met. If requesting a variance, describe how the facility will ensure that the safety and needs of the children will be met if a variance is granted.

The facility understands that in the case a waiver is granted, the waiver may be granted for up to 12 months with the opportunity to request one extension, not to exceed a total of 24 months. Prior to the expiration of the waiver, it is the responsibility of the facility to submit periodically to the licensing authority documentation of compliance with the above plan of action. Also, please keep in mind that you must meet and maintain compliance with all other licensing requirements during the period of the waiver/variance.

X		//	
Signature of Director		Date	
FOR INTERNAL U Date of receipt of aj Approved Denied	USE ONLY: oplication: Dates of Waiver Approval: Reason(s) for Denial:	until	
Reviewed by:			
		Review Date:	