

Figure: 26 TAC §745.119

Educational Facility	Criteria for Exemption
(1) Accredited Educational Facility for Grades Pre-Kindergarten and Above	<p>(A) The educational facility operates primarily for educational purposes;</p> <p>(B) The educational facility operates the program;</p> <p>(C) All children in the program are at least pre-kindergarten age; and</p> <p>(D) The Texas Education Agency (TEA) or the Southern Association of Colleges and Schools (SACS) accredits the educational facility; or the Texas Private School Accreditation Commission (TEPSAC) accredits the educational facility.</p> <p>Note: For educational facilities that also provide residential child care, See §745.125 of this division (relating to Are additional exemption criteria required for an educational facility that provides residential child care?).</p>
(2) Before or After-School Program Operated by an Accredited Educational Facility	<p>(A) TEA, SACS, or TEPSAC accredits the educational facility;</p> <p>(B) The educational facility operates the child day-care program; and</p> <p>(C) All children in the program are at least pre-kindergarten age.</p>
(3) Before or After-School Program Operated by a Contracted Entity	<p>(A) TEA, SACS, or TEPSAC accredits the educational facility;</p> <p>(B) The accredited educational facility contracts with an entity to operate the before or after-school program;</p>

	<p>(C) All children in the program are at least pre-kindergarten age; and</p> <p>(D) TEA, SACS, or TEPSAC approves the curriculum content of the before and after-school child day care.</p>
<p>(4) Educational Facility that is a Member of an Organization Requiring Compliance with Standards</p>	<p>(A) The educational facility must provide an educational program from grades pre-kindergarten through at least grade two;</p> <p>(B) All children in the program are at least pre-kindergarten age;</p> <p>(C) The educational facility provides child day care no more than one hour before and one hour after the customary school day in the community; and</p> <p>(D) The educational facility is a member of an organization that either:</p> <ul style="list-style-type: none"> (i) publishes health, safety, fire, and sanitation standards equal to those required by the state, county, or municipality; or (ii) follows the state, county, or municipal health, safety, and fire codes.
<p>(5) Private Educational Facility, Including an Educational Facility that is Religious in Nature</p>	<p>(A) The educational facility offers an educational program that includes one or more of the following:</p> <ul style="list-style-type: none"> (i) Pre-kindergarten through at least grade three; (ii) Any elementary grade (kindergarten through grade 5); or (iii) Any secondary grade (6 through 12); and <p>(B) The facility does not provide more</p>

	than two hours total of child day care before or after the customary school day in the community.
--	---