



Guidance to Residential Child Care Providers about Variances

Dear Residential Provider:

Child Care Regulation (CCR) understands this is an unprecedented time for residential child care providers. We are truly appreciative of the collaboration and efforts each of you are showing during this time to meet the needs of the children in your care.

CCR has received many questions about the challenges providers are facing in meeting certain regulations during this time and please know that we will consider variance requests for any minimum standard in 26 Texas Administrative Code (TAC) Chapters 748 or 749.

Other requirements, such as background checks, are required by statute and by rules in 26 TAC Chapter 745 and cannot be varied through the same variance process as minimum standards.

Please know that CCR is working diligently on creating broad solutions for regulations that cannot be varied or that are otherwise challenging for all operations to meet. As those solutions are finalized, CCR will provide additional guidance.

The most frequently asked questions relate to background checks, face to face visit requirements for Child-Placing Agencies (CPA's), CPR/First Aid training, TB testing and immunizations, ratio, medical and dental visits, and emergency behavior intervention (EBI) training.

Please refer to the guide below for more information about variances for specific topics:

Topic	Requirement in Statute or 26 TAC Chapter 745?	Can you request an individual variance?
Background checks	Yes	No
Face to Face visits for CPA's	No	Yes
CPR/First Aid	No	Yes
TB tests and Immunizations	Yes	No
Ratio requirements	No	Yes
Medical and Dental Visits	No	Yes
EBI Training	No	Yes

Individual variance may be requested through your online [Child Care Licensing Account](#). CCR staff will review each variance request and provide approvals on a case-by-case basis. Please provide detailed information regarding how you can reduce risk to children in your operation by meeting the regulation in a different way. We ask that you only request variances for situations where an urgent need exists.

CCR is appreciative of all the work you do in protecting the health and safety of the children in your care. Please don't hesitate to reach out to your licensing inspector with any questions.

Sincerely,

Jean Shaw

Associate Commissioner for Child Care Regulation

