

Child Care Definitions for Indiana

IC 12-7-2-28.2 "Child care"

Sec. 28.2. "Child care", for purposes of IC 12-17.2, means a service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth. *As added by P.L.20-1992, SEC.7 and P.L.81-1992, SEC.7. Amended by P.L.1-1993, SEC.71; P.L.145-2006, SEC.38.*

IC 12-7-2-28.4 "Child care center"

Sec. 28.4. "Child care center", for purposes of IC 12-17.2, means a nonresidential building where at least one (1) child receives child care from a provider:

- (1) while unattended by a parent, legal guardian, or custodian;
- (2) for regular compensation; and
- (3) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

As added by P.L.20-1992, SEC.8; P.L.81-1992, SEC.8. Amended by P.L.1-1993, SEC.72; P.L.136-1993, SEC.1; P.L.1-1994, SEC.48; P.L.247-2001, SEC.4.

IC 12-7-2-28.6 "Child care home"

Sec. 28.6. (a) Except as provided in subsection (c), "child care home", for purposes of IC 12-17.2, means a residential structure in which at least eight (8) children, or at least four (4) children under twelve (12) months of age, (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider:

- (1) while unattended by a parent, legal guardian, or custodian;
 - (2) for regular compensation; and
 - (3) for more than six (6) hours per day but less than twenty-four (24) hours per day for ten (10) consecutive days, not including Saturdays, Sundays, and holidays.
- (b) The term includes:
- (1) a class I child care home; and
 - (2) a class II child care home.
- (c) A child who is:
- (1) a relative of a provider;
 - (2) under the custody or guardianship of a provider; or
 - (3) at least fourteen (14) years of age and does not require child care;

is not a child described under subsection (a).

As added by P.L.20-1992, SEC.9 and P.L.81-1992, SEC.9. Amended by P.L.1-1993, SEC.73; P.L.136-1993, SEC.2; P.L.124-2007, SEC.1; P.L.134-2024, SEC.1

IC 12-7-2-33.7 "Class I child care home"

Sec. 33.7. (a) As used in this chapter, "class I child care home" means a child care home that serves any combination of full-time and part-time children, not to exceed at any one (1) time twelve (12) children plus three (3) children who are enrolled in at least full-day kindergarten.

- (4) A child:
- for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
 - who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

As added by P.L.136-1993, SEC.3. Amended by P.L.106-1996, SEC.1; P.L.247-2001, SEC.5; P.L.124-2007, SEC.2; P.L.197-2011, SEC.38; P.L.74-2022, SEC.2.

IC 12-7-2-33.8 "Class II child care home"

Sec. 33.8. (a) As used in this chapter, "class II child care home" means a child care home that serves more than twelve (12) children but not more than any combination of sixteen (16) full-time and part-time children at any one (1) time.

- (b) A child:
- (1) for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
 - (2) who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

As added by P.L.136-1993, SEC.4. Amended by P.L.124-2007, SEC.3.

IC 12-7-2-28.8 "Child care ministry"

Sec. 28.8. "Child care ministry", for purposes of IC 12-17.2, means child care operated by a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501 of the Internal Revenue Code.

As added by P.L.20-1992, SEC.10 and P.L.81-1992, SEC.10. Amended by P.L.1-1993, SEC.74.