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## **SB 1239 Child day programs; exemptions from licensure, certification of preschool or nursery school program.**

### **Summer 2016 Workgroup of Stakeholders Makes Recommendations**

The 2016 General Assembly passed a bill to study the 14 categories of license-exemptions for child care programs. As Virginia had recently passed other measures to make child care safer, these license-exempt programs could still operate without safety standards or any monitoring inspections. A workgroup composed of representatives from the license-exempt programs, parents, legislators and advocates met, along with the VA Department of Social Services to review, these categories and make recommendations.

### **Defined Some Exemptions as NOT a “Child Day Program”**

In that review the workgroup recommended that some categories of care that was exempted should not be considered a “child day program” or meet any minimal standards. Those types included: single focus instructional programs (i.e. violin or ballet lessons), early intervention (Part C) programs, competitive sports leagues, religious instruction and school-based summer camp programs.

### **Minimal Licensing Standards Apply to Others**

Other programs would be considered “child day programs” and would need to meet minimal licensing standards. Those programs included: a religious-exempt program, a “come & go” facility (like a Boys & Girls Club), short-term programs for children under 6, certified accredited preschools, and parks & recreation programs in local government.

### **New Minimal Safety Standards Include:**

- A person trained in CPR and first aid whenever children are present;
- Background check requirements established by regulations of the Board;
- Maintaining daily attendance records;
- Having an emergency preparedness plan in place;
- Complying with all applicable laws and regulations governing transportation of children; and
- Complying with all safe sleep guidelines recommended by the American Academy of Pediatrics.

Religious-exempt programs were already required to meet some additional staffing ratio requirements. This bill reduced some of the staffing ratios to improve oversight and safety.

In addition, these programs will report to the Commissioner all incidents involving serious injury or death to children and post in a visible location on the premises notice that the child day program is operating as a program exempt from licensure with basic health and safety requirements but has no direct oversight by the Department.

### **Monitoring Procedures- Effective Date July 1, 2018**

This proposal allows the Commissioner to establish a process to inspect exempt programs, regardless of whether a complaint has been filed. Such inspections shall be scheduled based on available resources. And the Department should develop a process to gather and track data regarding injuries and programs exempt from licensure.

**These organizations participated in the workgroup to discuss the recommendations included in SB1239: Association of YMCA’s, Association of Parks and Recreation, Child Care Aware of Virginia, Old Dominion Association of Church Schools, Virginia Child Care Association, Virginia Council for Private Education and Voices for Virginia’s Children**