

Attachment B: Child Care Regulations Transferring to the Code of the Board of Education

Virginia Administrative Code

Title ~~228. Social Services Education~~

Agency ~~402. Department Of Social Services~~ State Board of Education

Chapter ~~160XXX~~. Fee Requirements for Processing Applications

22VAC40-160-10. Fees.

By act of the General Assembly and effective ~~February 1, 1984~~ July 1, 2021, the Department of ~~Social Services Education~~ is authorized to charge fees for processing applications for licenses (§ ~~22.1-289.010~~ 63.2-1700 of the Code of Virginia).

Such fees are to be used for the development and delivery of training for operators and staff of facilities or agencies for adults or children subject to licensure solely by the Department of ~~Social Services Education~~.

Each license and renewal of it may be issued for a period of up to three successive years. The required fee for each licensed facility or agency will be based upon its licensed capacity and the length of the total licensure period. However, the fee will be collected annually and licensees will be billed each year by the Department of ~~Social Services Education~~ for the appropriate portion of the fee. (Example: A facility with a capacity of 55 participants is issued a license for a period of 24 months. The fee for that facility for the two-year period would be \$210. The facility will be charged \$105 at the beginning of the licensure period and billed again for \$105 at the beginning of the second year of licensure.) No fee will be charged directly following the issuance of a conditional license.

Some programs such as, but not limited to, parks and recreation programs and summer camps, which operate for less than four months in a 12-month period, will pay a reduced fee as indicated in the fee schedule below (short-term programs).

Applicants shall use the following schedule of fees to determine the correct fee to pay for processing all applications.

| Schedule of Fees | | | |
|------------------|--------|---------|---------|
| Capacity | 1 year | 2 years | 3 years |
| 1-12 | \$14 | \$28 | \$42 |
| 13-25 | \$35 | \$70 | \$105 |
| 26-50 | \$70 | \$140 | \$210 |
| 51-75 | \$105 | \$210 | \$315 |
| 76-200 | \$140 | \$280 | \$420 |
| 201 & up | \$200 | \$400 | \$600 |

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| Short-term Programs | | | |
|-------------------------|------|-------|-------|
| 1-50 | \$25 | \$50 | \$75 |
| 51 & up | \$50 | \$110 | \$150 |
| Flat Fees | | | |
| Family Day Care Systems | \$70 | \$140 | \$210 |
| Child Placing Agencies | \$70 | \$140 | \$210 |

The fee shall be paid by personal check, money order, or certified check, made payable to "Treasurer of Virginia."

A fee that is incorrect in amount or is made payable other than to the Treasurer of Virginia will be returned to the applicant. Otherwise, no fee will be returned or refunded for any reason.

Failure to submit the appropriate fee within the timeframe specified by the Department of ~~Social Services~~Education may result in negative action against a facility's or agency's license.

A fee will be charged for checks that must be returned to the applicant because of insufficient funds.

Statutory Authority

§§ ~~22.1-16~~~~63.2-217~~ and ~~63.2-1700~~ of the Code of Virginia.

Historical Notes

Derived from VR615-33-01, eff. July 1, 1991; amended, Virginia Register Volume 8, Issue 17, eff. July 1, 1992; Volume 34, Issue 2, eff. October 19, 2017.