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## Proposed Regulation Agency Background Document

<b>Agency name</b>	Virginia Board of Education
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	8VAC20-781 [new chapter] 8VAC20-780 [repeal]
<b>VAC Chapter title(s)</b>	Standards for Licensed Child Day Centers [new chapter] Standards for Licensed Child Day Centers [repeal]
<b>Action title</b>	Action to adopt new Standards for Licensed Child Day Centers
<b>Date this document prepared</b>	July 25, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

This regulatory action will repeal 8VAC20-780, Standards for Licensed Child Day Centers, and establish a comprehensive new chapter, 8VAC20-781. These Standards provide criteria for licensing or evaluating the health and safety of care that children receive in licensed child day centers.

In response to early childhood legislation passed by the General Assembly in 2020, the Virginia Department of Education (VDOE) engaged in a comprehensive review of the Standards through a workgroup with key stakeholders, including multiple child day center leaders and practitioners. Upon completion of this workgroup effort, the VDOE sought and received a full endorsement of an initial preliminary draft of revised standards from the Board of Education's Early Childhood Advisory Committee (ECAC). This revision reflects the input of key child care stakeholders and practitioners from across the Commonwealth.

## Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the “Definitions” section of the regulation.*

“Board” means the Virginia Board of Education.

## Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”*

The Board has determined that significant changes to the chapter are necessary to clarify and update the regulatory requirements in response to requests from stakeholder, changes in federal or state law, and the need to integrate new evidence-based best practices. The Board will repeal the current chapter and promulgate a new chapter in its place.

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency’s overall regulatory authority.*

The Board’s overall regulatory authority is found in § [22.1-16](#) of the Code of Virginia, which states that “[t]he Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.”

The Board’s regulatory authority over child day programs is found in § [22.1-289.046](#) of the Code of Virginia, which states in part that “[t]he Board shall adopt regulations for the activities, services, and facilities to be employed by persons and agencies required to be licensed under this chapter, which shall be designed to ensure that such activities, services, and facilities are conducive to the welfare of the children under the control of such persons or agencies.”

## Purpose

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

The Board must repeal the Standards for Licensed Child Day Centers (8VAC20-780) and promulgate a new chapter in its place to clarify and update the regulatory requirements.

The action is essential to enhancing the health, safety, and welfare of children in care. The purpose of the adoption of a new regulation is to support the agency’s effort to streamline regulatory requirements; to

improve understanding and interpretation leading to enhanced compliance and enforcement by adjusted structure, format, and simplified language; and to incorporate updates to address ever-changing national health and safety guidelines and practices. In addition, it is the goal of the agency to ensure that parents have sufficient information to make informed decisions about placing their children in licensed child day centers while ensuring the safety of children receiving care in licensed child day centers.

Repeal of the existing regulation and adoption of a new regulation was determined by the agency as the most efficient and effective way to make the necessary changes to achieve clarity, consistency, and to protect children.

**Substance**

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.*

The proposed chapter incorporates several improvements to the Standards for Licensed Child Day Centers. The regulation is grounded in goals established by the Department in collaboration with stakeholders and the Early Childhood Advisory Committee. The goals of the regulatory action are to (i) improve the health and safety of children in care in licensed child day programs; (ii) increase flexibility for child care providers; (iii) lift burdensome requirements and increase flexibilities without compromising the health and safety of children in care; (iv) provide clarity and reduce duplicative requirements; (v) ensure alignment with the federal Child Care and Development Fund (CCDF) regulation and compliance with all applicable state laws, and (vi) comply with the Governor’s Executive Order 19.

The proposed regulatory action involves a comprehensive review of the chapter and was endorsed by the Early Childhood Advisory Committee on May 29, 2024. General areas addressed in the new regulation include:

- Restructuring and reformatting of content by subject matter;
- Clarifying terms and requirements;
- Removing duplicative requirements;
- Condensing sections to incorporate more clear and concise language;
- Alignment with national health and safety standards;
- Incorporating requirements based on consultation with and recommendations provided by state partners and agencies;
- Addressing current and relevant child care challenges by increasing options for program director and lead teacher qualifications;
- Clarifying and streamlining staff training requirements;
- Aligning requirements and incorporating technical amendments to ensure consistency with the Code of Virginia; and
- Updating requirements to address ever-changing national health and safety guidelines and practices.

*Overview of New Requirements*

Requirements added to better align the standards with federal requirements, best practices, and building a unified early childhood care and education system. Examples include replacing "program leader" and "program director" with "lead teacher" and "director"; adding "fall height" and replacing "fall zones" and "resilient surfacing" with "use zones" and "protective surfacing"; replacing "department-approved orientation" with "preservice training"; and replacing "first responder training" with "emergency medical responder training".

New requirements have been added to better protect children, typically based on state or federal requirements or evidence-based practices. Examples include enhancing requirements around choking,

handwashing, safe sleep practice, swim safety and outdoor play areas; and adding lead assessments in buildings built before 1978.

Additional requirements added to enhance the safety and well-being of children:

- Enhanced training requirements. All staff are now required to receive training on emergency preparedness and response and child abuse and neglect, not just direct care staff. Driver training requirements added and additional orientation requirement for directors.
- Orientation for staff on policies for food service, safety, and storage; inclusion of children with special needs; stock epinephrine; behavior guidance; and emergency preparedness and response during a pandemic.
- Lead risk assessments required for buildings built before 1978. Additional requirements for playground safety to include equipment and resilient surfacing.
- Specific requirements to prohibit infants from sleeping in car seats, or play equipment, restrictive clothing, and adaptive equipment without a signed statement from a physician. Revised requirements align with updated American Academy of Pediatrics (AAP) sleep guidelines.
- Requirements to address children with special needs and requirements for ensuring that children with special needs receive care and activity opportunities appropriate to needs.
- Requirements to strengthen parent involvement and requires communication and notification regarding emergencies, behavior concerns, daily care of children, and transportation.
- Safeguards for children during swimming and wading activities to include requirements for active supervision and accountability. Requirement added for one lifeguard to be on duty during swimming and wading activities for every 25 children.
- Requirements for safe handling of body fluids and handwashing.
- Requirements added for the safe storage of medication and adds flexibility for self-administered medication.

#### *Overview of Removed Standards*

Standards unrelated to child health and safety (i.e., activity requirements, emergency contact information for staff, certain qualification requirements, requirement for adult sized toilets); standards that were duplication of Code (i.e., operational responsibilities, background checks); standards duplicated in other regulations applicable to child day centers (i.e., references to General Procedures regulation); and standards that required unnecessarily burdensome administrative practices (i.e., reference checks, staff information, elements of parent and emergency contact information) that were irrelevant, were removed.

Requirements not directly specific to the safety of children and more related to business practice removed to provide relief of burdensome standards for child care providers and families:

- Enrollment procedures of therapeutic child day programs and special needs child day programs (Section 8VAC20-780-100).
- Physical and mental health of staff and volunteers (Section 8VAC20-780-170).
- General qualifications (Section 8VAC20-780-180).
- Aides (Section 8VAC20-780-220).
- Independent contractors (Section 8VAC20-780-230).

#### *Highlights of Substantive Changes*

Part I of the standards includes the definition section and provisions for the purpose and applicability of the standards. Substantive changes made to this Part of the Chapter includes added definitions needed to clarify requirements and the removal of duplicative language.

Part II of the standards includes requirements for the administration of licensed child day centers to include operational responsibilities, record keeping, contents of staff and children's records, attendance, and health provisions (i.e., immunizations, physicals, and tuberculosis testing). Substantive changes made to this Part of the Chapter include added requirements to comply with federal, state, or local laws;

records maintenance; health records; reporting requirements, attendance; and health provisions. Removed burdensome administrative requirements.

Part III of the standards includes requirements for staff qualifications and training. Substantive changes made to this Part of the Chapter include revised qualification criteria that makes it easier for individuals to qualify for essential roles. Enhanced training and orientation requirements to ensure staff are qualified and receive instruction on critical health and safety topics. Protections for children on transportation added by requiring specific driver training. Flexibility added to allow preservice orientation (10 hours) completed to count towards the 16 hours of annual training required. Removed lengthy and unnecessarily complicated requirements.

Part IV of the standards includes requirements for the building and facilities. Standards address precensure and subsequent approval for facilities, building maintenance, hazardous substances and furnishings and equipment. Substantive changes made to this Part of the Chapter include new requirement for lead assessments prior to initial licensure for buildings built prior to 1978; added requirements for building, facilities, and equipment safety; requirements to expand protections from suffocation, choking, and strangulation. Updates protective surfacing requirements and references the most recent recommendations by the U.S. Consumer Product Safety Commission.

Part V of the standards includes requirements for the supervision of children and staffing requirements. Substantive changes made to this Part of the Chapter include revised requirements for supervision and added flexibilities for staffing requirements. Expands ratio for school-age children to 1:20 for all school-age children; currently it is 1:18 for children school-age eligible to age 9. Group size established for school-age children to align with federal requirements.

Part VI of the standards includes requirements for daily care, activities, behavioral guidance and prohibited actions, parental engagement, parent communication, parent notification, play equipment, sleeping equipment, and water safety. Substantive changes made to this Part of the Chapter include new requirements for media use with flexibility incorporated for educational materials for all age groups. Added safe sleep provisions and general safety for infants to include responsive care. Provisions for children with special needs added. Language added prohibits withholding outside time as punishment and requires positive methods of guiding children's behavior. Enhanced requirements for parent engagement, communication, and notification. Added requirements for safety and supervision during swimming activities including additional staff and lifeguard requirements.

Part VII of the standards includes requirements for preventing the spread of disease and infection control. Substantive changes made to this Part of the Chapter include revised requirements for infection control.

Part VIII of the standards includes requirements for the administration of medication and skin products including standards that address storage, records, and self-administration. Substantive changes made to this Part of the Chapter include revised medication requirements in areas of authorization and administration and reorganization of requirements for ease of reading for providers.

Part IX of the standards includes requirements for emergency preparedness and response to include first aid and emergency supplies, and planning and responding to emergencies. Substantive changes made to this Part of the Chapter include reorganized standards and enhancements to emergency procedures. Added requirement for emergency procedures to include response to a pandemic.

Part X of the standards includes requirements for nutrition, feeding, transportation, and animals. Substantive changes made to this Part of the Chapter include safety provisions during mealtimes, new requirements for infant feeding to include documentation, storage, and preparation. Revised requirements for safety around animals and pets included.

Part XI of the standards includes requirements for evening and overnight care. Substantive changes made to this Part of the Chapter include the removal of standards for separate sleeping areas.

Part XII of the standards includes requirements for therapeutic and special needs programs including assessments, service plans, staff qualifications, staff training, equipment, feeding, and transportation. Substantive changes made to this Part of the Chapter include the reorganization and grouping of requirements for therapeutic and special needs programs that were previously located throughout the standards.

**Issues**

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

The primary advantage of this regulatory change to the public, the agency and Commonwealth, and licensed child day centers is that the Standards for Licensed Child Day Centers will be easier to read, better organized, more clear with respect to responsibilities, and more comprehensive in scope to ensure the health, safety and well-being of children in care. There are no disadvantages to the public, the agency, the Commonwealth, or to licensed child day centers.

**Requirements More Restrictive than Federal**

*Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.*

There are no requirements that exceed applicable federal requirements.

**Agencies, Localities, and Other Entities Particularly Affected**

*Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. “Particularly affected” are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.*

**Other State Agencies Particularly Affected**

There are no other state agencies that will be particularly affected by this regulatory action.

**Localities Particularly Affected**

There are no localities that will be particularly affected by this regulatory action.

**Other Entities Particularly Affected**

This action will affect licensed child day centers.

**Economic Impact**

*Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.*

**Impact on State Agencies**

<p><i>For your agency:</i> projected costs, savings, fees, or revenues resulting from the regulatory change, including:                  a) fund source / fund detail;                  b) delineation of one-time versus on-going expenditures; and                  c) whether any costs or revenue loss can be absorbed within existing resources.</p>	<p>The regulatory action will not increase costs, fees, or revenues resulting from the regulatory changes.</p>
<p><i>For other state agencies:</i> projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.</p>	<p>The regulatory action will have no impact on other state agencies.</p>
<p><i>For all agencies:</i> Benefits the regulatory change is designed to produce.</p>	<p>The regulatory action will impact the safety and well-being of children. The regulation intends to provide flexibilities for child care providers and remove burdensome requirements that make compliance challenging. The regulation is also intended to provide clarity by streamlining requirements, strengthen parental involvement in their child’s care, and update standards with up to date industry practices.</p>

**Impact on Localities**

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.*

<p>Projected costs, savings, fees, or revenues resulting from the regulatory change.</p>	<p>This regulatory action will not affect localities.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>This regulatory action will not affect localities.</p>

**Impact on Other Entities**

*If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.*

<p>Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be</p>	<p>As of June 2024, there were 2629 licensed child day centers in Virginia. This number reflects a combination of different size</p>
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<p>affected, include a specific statement to that effect.</p>	<p>business entities, non-profit entities and governmental entities.</p>
<p>Agency’s best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that:  a) is independently owned and operated, and;  b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>As of June 2024, there were 2629 licensed child day centers in Virginia. This number reflects a combination of different size business entities, non-profit entities and governmental entities.</p>
<p>All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to:  a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses;  b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change;  c) fees;  d) purchases of equipment or services; and  e) time required to comply with the requirements.</p>	<p>Cost analysis has been reported on the ORM Economic Impact form in Table 1A. The regulatory flexibility in the proposed chapter provides for potential additional net revenue of \$35,902.40 for each licensed child day center. Cost savings in staff time with reduced documentation needed for staff and children’s files. Additional cost savings with the removal of requirements which impose on flexibility in business practice. Reductions in materials and requirements which vary depending on the program structure can not be quantified.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>Cost analysis has been reported on the ORM Economic Impact form in Table 1A. The regulatory flexibility in the proposed chapter provides for potential additional net revenue of \$35,902.40 for each licensed child day center. Cost savings in staff time with reduced documentation needed for staff and children’s files. Additional cost savings with the removal of requirements which impose on flexibility in business practice. Reductions in materials and requirements which vary depending on the program structure can not be quantified.</p>

**Alternatives to Regulation**

*Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the*



*regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.*

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There are no alternatives to regulatory action, as the Standards for Licensed Child Day Centers, are necessary for program implementation.

The Board has determined that it would be in the best interest of the health, safety, and welfare of children in care to repeal the existing regulation and conduct a comprehensive review of all child care licensing regulations in partnership with key stakeholders and the ECAC to identify and recommend substantive policy changes to the Board.

### **Regulatory Flexibility Analysis**

*Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.*

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There are no alternatives to regulation, as the regulation and oversight of child day centers mandated to be licensed pursuant to the Code of Virginia by regulations must be set forth and approved by the Board.

### **Periodic Review and Small Business Impact Review Report of Findings**

*If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

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This regulatory action is not being used to announce a periodic review or a small business impact review.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

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Commenter	Comment	Agency response
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<p>Child Care Provider for 30+ years Anonymous Liz Dowdy/Concerned Citizens for Child Care S. Banks Chris McQuade Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-10</b></p> <p>Comments received around definitions for 'programmatic experience', 'nighttime care', 'overnight care' and 'incident'. Requests for clarification of terms.</p>	<p>The definition of 'programmatic experience' amended to clarify that either full-time or its equivalent part-time work may count towards programmatic experience.</p> <p>The definition of 'incident' was removed. Clarification is provided within the standards regarding which circumstances require reporting and written documentation.</p> <p>Modified the definitions to clarify that evening and overnight is care based on a period of care that extends from one day to the next.</p>
<p>Kimberly Mruk, Bon Secours Family Center at SMH S. Banks Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-30</b></p> <p>Comments received about maintaining up to date allergy lists and the timing of updates when conditions change. Clarification requested about the confidentiality of the information, posting, and parental permission.</p>	<p>The revised standard allows flexibility in parent choice in the case of life-threatening allergies that parents want posted more visibly.</p>

<p>Anonymous Primrose School of Midlothian Village Kate Ferris Food Allergy &amp; Anaphylaxis Connection Team (FAACT) Danielle Simone, River Road Preschool Kimberly Mruk, Bon Secours Family Center at SMH Stacy Bermo HoneyTree Early Learning Centers Neb Malcolm - Health First Early Learning Centers Colleen Willson YMCA of South Hampton Roads FARE (Food Allergy Research and Education) Asthma and Allergy Foundation of America (AAFA) Chantel Clayborn VCCA member Jamie Morris LLE Group Inc Rebecca Toohey Kasey Hamlet Matthew Anderson Alicia Rhyne Brooke Russell Taylor Farris Hayley Letterio Lauren Roberts Chelsey Johnson Paige Loeven Shannon Saxby, LMSW Shannon Coulson Emily Mullen Hannah Johnson Jill Boyce Tessa Mayberry Brett Champlin Bailey DiCaprio Lucas Scott Whitney Glencross Lindsey Newton Jade Scurrrell Jackie Garrison Alla Austin Chad Austin Desiree Petruzzelli</p>	<p><b>8VAC20-781-40</b></p> <p>Many commented about additional required policies and procedures, particularly policies and procedures for areas already covered by the standards.</p>	<p>Section removed. The Department reviewed each policy and procedure required by this section and determined that this section can be deleted. Moved certain topic areas as requirements to other areas of the standards where necessary to ensure the safety and wellbeing of children.</p> <p>The Department has added language to clarify training requirements for the possession and administration of epinephrine per the Code of Virginia (22.1-289.059).</p>
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<p>Adrian Ramos-Beckert Bridgett Springer Samantha Stafford- Tuckaway Child Development Primrose School Virginia Beach South Chris McQuade Benita Petrella, Primrose School of Midlothian Village Maria Ferrone, Creative Kids Nancy Renner Clark Andrs, River's Bend Children's Center Virginia Child Care Association Liz Dowdy/Concerned Citizens for Child Care Shannon B. Child Day Center Director Frances Powell, Tuckaway Child Development Centers</p>		
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<p>Danielle Simone, River Road Preschool                  Liz Dowdy/Concerned Citizens for Child Care                  Samantha Stafford-Tuckaway Child Development Anonymous                  Virginia Child Care Association                  Shannon B. Child Day Center Director                  Frances Powell, Tuckaway Child Development Centers</p>	<p><b>8VAC20-781-40</b></p> <p>Comments about confidentiality requirements including requirements for locking and securing records needed during emergencies.</p>	<p>Standards allow records required as part of the emergency plan to be unlocked.</p> <p>The intent is to ensure children's and parent's information are kept confidential. Essential records required for emergency purposes are not required to be locked but must be kept confidential.</p>
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<p>Nancy Renner Sandra Quigg, Boys &amp; Girls Clubs of Harrisonburg, and Rockingham Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-50</b></p> <p>Comments about standards for children’s information required upon enrollment and concern that timing does not allow for adequate time for parents to obtain records given the child’s enrollment date and start date may be different. Additional concerns about information required in records, digital files, and dietary preferences.</p>	<p>Language revised to allow more time for required documentation to be obtained. Including documentation of dietary preferences per parent’s request allows parent involvement on determining the child’s nutritional needs.</p> <p>A record containing information on children enrolled in the facility helps to plan for the care of the children enrolled.</p> <p>Requirements allow children’s records to be kept electronically if secure.</p>
<p>YMCA of South Hampton Roads Maria Ferrone, Creative Kids Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-60</b></p> <p>Comments about the general record requirements, confidentiality of background checks and challenges with obtaining required background checks, provisional hire, and the documentation of staff training.</p>	<p>The standards allow for records to be kept at a central location, except for information required in the emergency preparedness and response plan.</p> <p>Provisions of Chapter 477 of the 2024 General Assembly allows for the provisional hire of staff with a completed fingerprint check. These staff would be able to begin orientation training.</p> <p>The regulation describes requirements for the documentation of training.</p>



<p>Danielle Simone, River Road Preschool                  Donald Goff, Child Care Resources, Inc.                  VCCA member                  LLE Group Inc                  Belinda Thomas                  Samantha Stafford-Tuckaway Child Development                  Laurie Deavers                  Chris McQuade                  S. Banks                  Nancy Renner                  Clark Andrs, River's Bend Children's Center                  Virginia Child Care Association                  Jennifer Slack, Our Neighborhood Child Development Center                  Shannon B. Child Day Center Director                  Frances Powell, Tuckaway Child Development Centers</p>	<p><b>8VAC20-781-70</b></p> <p>Comments received about requirements for reporting incidents to the Department and notification requirement. Several comments received about maintaining a record of daily attendance documenting the arrival and departure of children. Additional comments received about mandated reporter requirements and reporting requirements for children left unattended, and termination of services.</p>	<p>The standards require injuries that the center learns about to be reported to the Department.</p> <p>The intent is to ensure accurate information is available for emergency personnel and to ensure the safety of children.</p> <p>Standards regarding reporting requirements revised to clarify reporting requirements.</p> <p>The Department revised the requirement for reporting injuries for more clarification.</p> <p>The intent is to ensure that the center and the department is made aware of any injury that occurred in the center and resulted in required medical attention.</p> <p>The intent of child abuse and neglect reporting requirements is for suspected child abuse or neglect to be reported promptly to ensure the safety of children. The standard aligns with the Code of Virginia.</p> <p>Standards regarding reporting requirement revised to clarify the nature of injuries that will result in a report to the Superintendent.</p> <p>The intent is to ensure that reports are provided in incidents where children are left unattended and therefore not under the care and supervision of staff assigned to them at the center.</p> <p>The intent of requiring suspension or termination of care to be reported is to inform parents of a potential impact on the availability of care.</p>
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<p>Sara Carroll, Cuddlebugs Child Development Center YMCA of South Hampton Roads Chantel Clayborn S. Banks Jennifer Slack, Our Neighborhood Child Development Center Anonymous Liz Dowdy/Concerned Citizens for Child Care</p>	<p><b>8VAC20-781-80</b></p> <p>Comments about immunization and physical requirements in the Code. Comments received about records maintained by the school system. Concerns shared about TB testing and increasing the eligibility timing for previously completed tests.</p>	<p>The requirements previously annotated in the regulation include the requirements in § 22.1-271.2 and in § 32.1-46. Section 22.1-271.1 defines "school" as (i) any public school from kindergarten through grade 12 operated under the authority of any locality within the Commonwealth, (ii) any private or religious school that offers instruction at any level or grade from kindergarten through grade twelve, and (iii) any private or religious nursery school or preschool, or any private or religious child-care center required to be licensed by the Commonwealth.</p> <p>Standards allow health information from schools where children attend to be used if certain requirements are met. This allowance is for programs that receive children directly from a school. Documentation of a physical and immunizations is still required for summer programs.</p> <p>The requirement for tuberculosis testing (TB) was revised to allow results within the last 90 days to be accepted. Requiring results to be no more than 30 days old upon hire creates a hardship for providers as TB results are often outdated by the time background checks are returned for prospective employees. The Department consulted with VDH on extending the timeframe with assurance that no additional TB risks or exposures that have occurred during those 90 days.</p> <p>The standards do not allow individuals other than authorized health care persons to administer the screening or assessment for TB.</p> <p>Requirements for physical examinations are aligned with VDH physical requirements for school entry and are covered on the required form for documenting the physical examination.</p>
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<p>Dr. Corey Borgman:                  President, Virginia                  Montessori Association                  Anonymous                  Stacy Bermo HoneyTree                  Early Learning Centers                  Corey Borgman                  Brynn Simons                  Mark Johnson</p>	<p><b>8VAC20-781-90</b></p> <p>Comments received about allowing Montessori certificate programs to count towards program director qualifications. Additional concerns about programmatic experience to meet qualification requirements.</p>	<p>The Department reviewed the standards to align the qualifications for individuals with a one year community college certificate and a teaching diploma from an internationally or nationally recognized Montessori organization. The current standards allows for the credential to be inclusive of all existing and potential organizations offering a teaching diploma from an internationally or nationally recognized Montessori organization. The Code of Virginia § 22.1-289.046 prohibits the Department from requiring a specific teaching approach or doctrine or require the membership, affiliation, or accreditation services of any single private accreditation or certification agency.</p> <p>Increased flexibility included in the preliminary draft for meeting qualification requirements. Directors are required to complete precicensure orientation sponsored by the Department in 8VAC20-781-140 which may count towards certain qualification requirements.</p>
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<p>Anonymous S. Banks Nancy Renner Liz Dowdy/Concerned Citizens for Child Care Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-100</b></p> <p>Comments received about the requirement for the program director to be onsite at least 50% of the program operating hours. Concern that this language is limiting and does not allow for the director to be away from the facility.</p>	<p>Language revised to clarify the expectations of the director, director designee, and person designated to oversee administration of the center.</p>
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<p>Dr. Corey Borgman: President, Virginia Montessori Association Stacy Bermo HoneyTree Early Learning Centers Colleen Willson VCCA member Laurie Deavers Paige Kepner, Child Development Center at Wyndham Risa May, The Goddard School Chantilly Benita Petrella, Primrose School of Midlothian Village Nancy Renner Sandra Quigg, Boys &amp; Girls Clubs of Harrisonburg, and Rockingham Clark Andrs, River's Bend Children's Center Virginia Child Care Association Corey Borgman Shannon B. Child Day Center Director Samantha Anliker- Tuckaway Child Care Frances Powell, Tuckaway Child Development Centers</p>	<p><b>8VAC20-781-110</b></p> <p>Comments received about reducing requirements for lead teacher qualifications. Requests to allow all orientation training to count towards required lead teacher qualification training. Additional comments on specific Montessori certifications and only allowing certification from certain organizations.</p>	<p>The current standards allow for the credential to be inclusive of all existing and potential organizations offering a teaching diploma from an internationally or nationally recognized Montessori organization. The Code of Virginia § 22.1-289.046 prohibits the Department from requiring a specific teaching approach or doctrine or require the membership, affiliation, or accreditation services of any single private accreditation or certification agency.</p> <p>The standards do not specify orientation hours required and is intended to provide introductory training for staff. Enhanced training for lead teachers ensures that individuals in this position are well equipped to provide for the implementation of activities and services for children.</p> <p>The standards do not prohibit other training (except for orientation training) from counting towards training required to qualify as a lead teacher under 8VAC20-781-120 B2.</p> <p>This section includes language to expand qualifications criteria.</p> <p>Clarification added to the definition of programmatic experience.</p>
<p>S. Banks</p>	<p><b>8VAC20-781-120</b></p> <p>A comment received about providing rationale for exempting certain facilities from the requirement for</p>	<p>The language allows an exception when insurance is obtained for individuals transporting children and reduces duplication efforts for programs related to the new requirement of obtaining a driving record for individual staff because insurance policies</p>

	drivers to provide a driving record.	already require that each driver's record is checked.
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<p>April                  Kate Ferris, Stay &amp; Play                  Donald Goff, Child Care                  Resources, Inc.                  Colleen d Willon                  Ame Wren                  Liz Dowdy/Concerned                  Citizens for Child Care                  VCCA member                  Child Care Provider for                  30+ years                  Jessica                  Danielle Simone, River                  Road Preschool                  Paige Kepner, Child                  Development Center at                  Wyndham                  Risa May, The Goddard                  School Chantilly                  S. Banks                  Gail Esterman                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Benita Petrella, Primrose                  School of Midlothian                  Village                  Anonymous                  Leonid                  Nancy Renner                  Sandra Quigg, Boys &amp;                  Girls Clubs of                  Harrisonburg, and                  Rockingham                  Clark Andrs, River's Bend                  Children's Center                  Virginia Child Care                  Association                  Brynn Simons                  Mark Johnson                  Shannon B. Child Day                  Center Director                  Samantha Anliker-                  Tuckaway Child Care                  Frances Powell, Tuckaway                  Child Development                  Centers</p>	<p><b>8VAC20-781-130</b></p> <p>Several comments received about the relevance of the Preservice training for direct-care staff and for other staff, particularly for programs that do not participate in the Child Care Subsidy Program. Comments also received about the duration of the training and the time allowed to complete the training. Requests to begin training at the time of hire once fingerprint checks have been returned. Comment received requesting clarification on the requirement for orientation to include an introduction and orientation to each child assigned to staff, including health issues.</p>	<p>The intent of the required orientation is to ensure critical health and safety training is provided to staff. Ensures that part-time and substitute staff receive training in the event they must be alone with children.</p> <p>There is currently no exception for completing the preservice training for staff employed at short-term programs.</p> <p>Chapter 609 of the 2024 General Assembly directs the Department to review the Virginia Preservice Training. The revised standard allows the preservice training to be counted as ongoing training hours.</p> <p>Provisions of Chapter 477 of the 2024 General Assembly allows for the provisional hire of staff with a completed fingerprint check. These staff would be able to begin orientation training.</p> <p>Classroom management added as a training topic to ensure the safety and well-being of children in care.</p> <p>The intent of the required orientation is to ensure critical health and safety training is provided to staff.</p> <p>The standards for training are applicable to direct care staff.</p> <p>The intent of the requirement in the standards is to ensure that staff are informed of Virginia's specific reporting requirements.</p> <p>This language ensures that the preservice training requirement applies once for staff. An additional requirement for the update course to be completed annually ensures that all staff receive up-to-date training on health and safety topics.</p> <p>The regulation adds a new requirement for directors to complete prelicensure orientation training to ensure that directors are oriented to the licensing standards to better protect children in care and train staff accordingly. The training is offered free of charge on a regular basis by every licensing office and can be counted towards annual training for any staff that completes this training.</p>
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		<p>The intent of the required orientation is to ensure critical health and safety training is provided to staff and to ensure that all staff caring for children receive the same basic entry-level training. The intent of this requirement is for staff to be generally informed on recognizing when an emergency that requires CPR or First Aid exists. Orientation training in first aid and cardiopulmonary resuscitation (CPR) may include training staff to recognize and distinguish between injuries, medical emergencies, and sudden illness that would require being handled by a staff certified in first aid and CPR versus situations that can be handled by a non-certified staff.</p> <p>Expands current requirement for staff to be informed of children's allergies, sensitivities, and dietary restrictions to ensure the safety and well-being of children. The requirements for cooperative preschool programs are aligned with § 22.1-289.046 of the Code of Virginia.</p> <p>The intent is to ensure that all staff caring for children receive the same basic entry-level training.</p>
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<p>Jessica Danielle Simone, River Road Preschool Nancy Renner Sandra Quigg, Boys &amp; Girls Clubs of Harrisonburg, and Rockingham Mark Johnson</p>	<p><b>8VAC20-781-140</b></p> <p>Comments received about ongoing training requirements and the annual health and safety update course content.</p>	<p>The Department reviews the health and safety course content annually to ensure topics reflect up to date challenges or needs of the provider community.</p> <p>The intent of the required orientation is to ensure critical health and safety training is provided to staff and to ensure that all staff caring for children receive the same basic entry-level training.</p> <p>The requirements for cooperative preschool programs are aligned with § 22.1-289.046 of the Code of Virginia.</p> <p>The Department requires 16 hours of annual training. Program sponsored training may count towards annual training requirements.</p> <p>The regulations reflect epinephrine administration requirements according to Section 22.1-289.059 of the Code of Virginia</p>
<p>Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-170</b></p> <p>Comment received about the language in requirements for medication administration. A request made to simplify and combine language.</p>	<p>Revised to clarify that MAT training is required for both nonprescription and prescription medication administration.</p>

<p>Anonymous Nancy Renner</p>	<p><b>8VAC20-781-200</b></p> <p>Comments received about water, sewage, and food inspections required by the standards. Concern that these inspections are burdensome to complete annually. A request for local health departments to have adequate notice of new requirements for inspection included.</p>	<p>Prelicensure and subsequent inspections ensure that the building, grounds, and/or facilities are safe and adequate for the care of children. The Department has opportunities to collaborate with local partners.</p>
<p>Clark Andrs, River's Bend Children's Center Frances Powell, Tuckaway Child Development Centers Samantha Anliker-Tuckaway Child Care Shannon B. Child Day Center Director Virginia Child Care Association</p>	<p><b>8VAC20-781-210</b></p> <p>Comments received about the description of unsafe conditions. Commenters requested that 'visible cracks' be removed.</p>	<p>The intent is to help providers identify additional safety hazards to better protect children.</p> <p>The language 'visible cracks' pertains to equipment and not the structure of the building.</p>

<p>Anonymous Jennifer Slack, Our Neighborhood Child Development Center Liz Dowdy/Concerned Citizens for Child Care Nancy Renner S. Banks</p>	<p><b>8VAC20-781-220</b></p> <p>Comments received about hazardous substances, specifically regarding the language on strings and cords. Concerns that the language prohibits some play and learning activities.</p>	<p>Requirements revised to differentiate general safety requirements from safety requirements specific to the use of toys and equipment intended for play for children two and older.</p> <p>The intent of the standard is to ensure that children are not exposed to known hazardous substances.</p> <p>The intent of the standard is to ensure that children are kept safe from suffocation hazards. The requirement regarding disposable gloves does not apply when a staff member is actively using gloves when caring for children.</p>
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<p>Alana Amanda Tipton, Charlottesville Waldorf School Ame Wren, mother of small child Anonymous April Brian Simalchik Carol Hamal Christi, Little Explorers Discovery School Dawn Bryant Donna Frances Powell, Tuckaway Child Development Centers James Woods Pollard Jenn Lobo Jennifer Slack, Our Neighborhood Child Development Center Jill Steuter, FB Meekins Cooperative Preschool Karen Hudzinski-Beach Kate S. Kelsey Fatsi, Little Explorers Discovery School Leonid Liz Dowdy/Concerned Citizens for Child Care Margaret Kerfoot Maria Ferrone, Creative Kids Marieke Jones Marielle Sheridan Mark Johnson Miriam Skadron, Our Neighborhood Child Development Center Nancy Renner Rebecca Cobbs S. Banks Samantha Anliker- Tuckaway Child Care Sarah Erdman FB Meekins Cooperative Preschool Stephanie Jasenak, FB Meekins Preschool Victoria Piper, Little Explorers Discovery School</p>	<p><b>8VAC20-781-230</b></p> <p>Several comments received about the requirement for a separate play area for infants, toddlers, and twos.</p>	<p>Language revised to clarify that a separate play area for infants and toddlers (children birth-up to 24 months) is required to protect younger children from older children. Removed reference to two-year old children to allow this age group to be included in younger or older groups depending on the program structure.</p>
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<p>Alana Ame Wren An Anonymous April Dawn Bryant Our Neighborhood Child Development Center Frances Powell, Tuckaway Child Development Centers Jenn Lobo Jennifer Slack, Our Neighborhood Child Development Center Kimberly Mruk, Bon Secours Family Center at SMH Marieke Jones Rebecca Cobbs S. Banks Samantha Anliker- Tuckaway Child Care Sara Carroll, Cuddlebugs Child Development Center Shannon B. Child Day Center Director VCCA member Virginia Child Care Association</p>	<p><b>8VAC20-781-250</b></p> <p>Comments received about the new requirement for sandboxes to be covered. Additional comments regarding playground equipment approved for use by school-age children on public playgrounds.</p>	<p>Requirement aligned with Caring for Our Children and is intended to ensure the safety of children playing in sand to avoid contamination by animals, litter, etc.</p> <p>Any licensed child day center serving school-age children is not prohibited from permitting preschool or school-age children from using outdoor play equipment and areas approved for use at a location that is currently approved by the Department of Education or recognized as a private school by the State Board of Education for school occupancy and that houses a public or private school during the school year.</p> <p>The intent of this requirement is to ensure the safety of children when using equipment and providing safe options for play.</p> <p>Standards revised to clarify the requirement and remove unnecessary and confusing language.</p>
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<p>Ame Wren April Dawn Bryant, Our Neighborhood Child Development Center Donna James Woods Pollard Jenn Lobo Jennifer Slack, Our Neighborhood Child Development Center Leonid LLE Group, Inc. Marieke Jones Paige Kepner, Child Development Center at Wyndham S. Banks</p>	<p><b>8VAC20-781-260</b></p> <p>Comments received about supervision and the standard that requires sight and sound supervision. Commenters requesting an allowance for preschool age children to temporarily be out of sight and sound supervision.</p>	<p>The intent of this standard is to ensure that children receive care and supervision appropriate for a group setting.</p> <p>The intent of this language is to allow for flexibility in the requirement for lead teaches to be able to temporarily step away from the group.</p> <p>Additional flexibility was added to this section to increase the time when a lead teacher is not required to be present in the group.</p>
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<p>Anonymous                  Clark Andrs, River's Bend                  Children's Center                  Frances Powell, Tuckaway                  Child Development                  Centers                  Gail Esterman                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Liz Dowdy/Concerned                  Citizens for Child Care                  Maria Ferrone, Creative                  Kids                  Primrose School Virginia                  Beach South                  Risa May, The Goddard                  School Chantilly                  Samantha Anliker-                  Tuckaway Child Care                  Shannon B. Child Day                  Center Director                  Virginia Child Care                  Association</p>	<p><b>8VAC20-781-270</b></p> <p>Comments received about requirements for reassigning children with special needs to appropriate groups, temporary increases in ratio and concerns that flexibility creates opportunities for providers to take advantage of waiver, and group size requirements.</p>	<p>This requirement for professional assessment for children reassigned to groups based on developmental needs was removed to allow families and programs to make appropriate placement decisions. Additional language added to clarify that the child's placement may be changed based on developmental needs.</p> <p>Added language to make it easier for the Superintendent to provide temporary ratio flexibility. This language is aligned with the language that has been included in the state budget in response to the staffing challenges in the field in recent years. This is not a blanket increase but allows the Superintendent to give providers the ability to slightly increase ratios if 1) they request this in writing and 2) they are in good standing. This language was in the Appropriations Act of 2021 and 2023 and has been approved for the 2024-2026 term.</p> <p>Group size was added for school age children to comply with CCDF requirements, 45 CFR 98.41(d)(1), which requires group size limits for specific age populations. Though other age groups are limited to three times the staff to child ratio, the limit for school age children is five times the staff-to-child ratio because school age programs often use large multipurpose style settings. This allows programs flexibility as they adjust to the new requirement.</p> <p>Programs reserve the flexibility to implement more stringent requirements around screen time.</p> <p>The intent is to ensure that ratio and group size requirements allow for staff to be responsive to children and their needs.</p>
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<p>Anonymous                  Corey Borgman                  Dr. Corey Borgman:                  President, Virginia                  Montessori Association                  Primrose School Virginia                  Beach South                  Stacy Bermo HoneyTree                  Early Learning Centers</p>	<p><b>8VAC20-781-280</b></p> <p>Comments received about clarification and rationale for the required ratio and group size for balanced mixed-age groups.</p>	<p>Retained the current language and added language to further clarify the requirement.</p> <p>This requirement offers flexibility for balanced-mixed age groupings. Extending the group size to 30 would require additional staff since the ratio is one staff to 14 children. Retained the current language and added language to further clarify the requirement.</p>
<p>Ame Wren                  April                  Dawn Bryant, Our                  Neighborhood Child                  Development Center                  Gail Esterman                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Leonid                  Marieke Jones                  Marielle Sheridan                  S. Banks</p>	<p><b>8VAC20-781-310</b></p> <p>Comments received requesting more stringent requirements around screen time.</p>	<p>Requirements provide limits around the use of media/technology to ensure that children have ample opportunity for a variety of activities throughout the course of a day, and because of the harm that can come to children from too much screen time. Programs reserve the flexibility to implement more stringent requirements around screen time.</p>

<p>Alicia Rhyne Alla Austin Anonymous Bailey DiCaprio Brett Champlin Bridgett Springer Brooke Russell Chad Austin Chelsey Johnson Clark Andrs, River's Bend Children's Center Colleen Willson Desiree Petruzzelli Donald Goff, Child Care Resources, Inc. Emily Mullen Frances Powell, Tuckaway Child Development Centers Gail Esterman Hannah Johnson Hayley Letterio Jackie Garrison Jade Scurrell Jill Boyce Kasey Hamlet Lauren Roberts Lindsey Newton Liz Dowdy/Concerned Citizens for Child Care Lucas Scott Matthew Anderson Paige Loeven Rebecca Toohey S. Banks Samantha Anliker- Tuckaway Child Care Shannon B. Child Day Center Director Shannon Coulson Shannon Saxby, LMSW Taylor Farris Tessa Mayberry Whitney Glencross</p>	<p><b>8VAC20-781-320</b></p> <p>Comments received about tummy time and time spent in confining equipment. Recommendations provided to reduce intervening time to 30 minutes for infants confined in equipment. Additional time regarding the revised requirement for tummy time focused on the documentation being burdensome.</p>	<p>The regulation incorporates safe sleep practices and requires that staff move infants who fall asleep outside of their crib to the infant's assigned crib as soon as possible.</p> <p>Revised to focus on the attempts made at tummy time rather than the duration to decrease the burden on staff to track the time infants spend in tummy time.</p> <p>Documentation of children's daily care and activities provides useful information for caregivers and families regarding patterns, developmental milestones, and adjustments that may be needed.</p> <p>Current standards do not provide a time limit for the use of restrictive infant equipment. The revised standard increases the health and safety of infants.</p> <p>Requirement revised to allow centers to offer tummy time throughout the day based on the infant's needs and provide documentation to parents that includes the amount of tummy time provided.</p> <p>The Department is committed to safe sleep for infants. The standards incorporate the most recent recommendations of the American Academy of Pediatrics.</p> <p>Standard revised to clarify that hazardous weather conditions are determined by the Department of Environmental Quality.</p>
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<p>Sara Carroll, Cuddlebugs Child Development Center Gail Esterman</p>	<p><b>8VAC20-781-330</b> Comment received regarding clarification needed around the use of sleep sacks and swaddling.</p>	<p>Language revised to increase the safety of sleeping infants and clarifies that the use of certain equipment is prohibited in the crib when infants are sleeping in accordance with standards in Caring for Our Children and recommendations made by the American Academy of Pediatrics.</p>
<p>Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-340</b> Comment received on language that prohibits infants who are awake and not actively eating from being confined to equipment for more than 30 minutes. Request to make language more stringent, prohibiting confinement to equipment for toddler and preschool children.</p>	<p>Requirements for toddler and preschool children need to be addressed to accommodate for the different developmental needs of children.  The intent is to provide safety when equipment is used appropriately for children to prevent children from being confined in equipment for extended time periods.</p>
<p>Anonymous</p>	<p><b>8VAC20-781-350</b> Comment received requesting clarification of hazardous weather conditions.</p>	<p>Language added to clarify that hazardous weather conditions are determined by the Department of Environmental Quality.</p>
<p>Anonymous</p>	<p><b>8VAC20-781-360</b> Comment received advocating for the parent and center to work together to determine what is best for children with special needs. Request to remove the requirement to implement recommendations by a professional which</p>	<p>This standard was revised to ensure that centers work with parents and any professionals involved in the care of the child in developing a plan to ensure the child receives accommodations appropriate to the child care setting the child is receiving care.</p>

	requires the parent to seek outside services.	
<p>Anonymous S. Banks Gail Esterman Marielle Sheridan Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-370</b></p> <p>Comments received about behavior guidance and requirements to promote positive behavior. Comments about time out also included. Requests made for clarification regarding discipline, behavior guidance, behavior problems and classroom management.</p>	<p>The language was amended to reflect 'time out' as an option with requirements closely aligned with the American Academy of pediatrics for child safety.</p> <p>The Department has resources such as the Early Learning and Development Standards to assist in the development of program practices aligned with appropriate behavior guidance and other instructional supports such as the Early Learning Guidelines found on the VDOE website under Early Childhood Standards and Instructional Supports.</p> <p>Orientation training is required to include the center's policies on behavior guidance that must be aligned with the requirements in the standards.</p> <p>The terms behavioral guidance, discipline, behavioral problems, and classroom management used in the regulation are addressed as separate and distinct situations and are not used interchangeably.</p>
<p>S. Banks Gail Esterman</p>	<p><b>8VAC20-781-380</b></p> <p>Comments received about time out and verbal remarks which are demeaning. Clarification requested sound punitive separation from the group and derogatory remarks about children's families.</p>	<p>The text of the standard clarifies the requirement.</p> <p>A verbal remark that is demeaning to the child's family is demeaning to the child.</p>
	<b>8VAC20-781-390</b>	

<p>Liz Dowdy/Concerned Citizens for Child Care</p>	<p>Comment received requesting clarification for the required description of established lines of authority for staff.</p>	<p>The language provides flexibility in determining program needs and staff needed to fulfill different roles and varying times.</p> <p>The intent of this standard is to provide information to staff and families on program oversight and allows flexibility in how this information is made available.</p>
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<p>Ame Wren                  Anonymous                  April                  Benita Petrella, Primrose School of Midlothian Village                  Child Care Provider for 30+ years                  Christine Mitchell                  Colleen Willson                  Danielle Simone, River Road Preschool                  Donald Goff, Child Care Resources, Inc.                  Frances Powell, Tuckaway Child Development Centers                  Gail Esterman                  Jennifer Slack, Our Neighborhood Child Development Center                  Kate Ferris, Stay &amp; Play                  Liz Dowdy/Concerned Citizens for Child Care                  Maria Ferrone, CreativeKids                  Marieke Jones                  Miriam Skadron, Our Neighborhood Child Development Center                  Nancy Renner                  Paige Kepner, Child Development Center at Wyndham                  Samantha Anliker-Tuckaway Child Care                  Sandra Quigg, Boys &amp; Girls Clubs of Harrisonburg, and Rockingham                  Shannon B. Child Day Center Director                  VCCA member                  Virginia Child Care Association</p>	<p><b>8VAC20-781-400</b></p> <p>Comments received about the requirement to maintain infant daily reports. Concern that the standard is burdensome and prohibits centers from using cost effective methods of communicating with parents. Several comments received about the documentation of behavior problems with concern about the sensitivity of discussing behavioral issues with parents directly. Additional comments about preserving the center-parent relationship and removing requirements for scheduled opportunities for feedback.</p>	<p>Added clarifying language that a daily record shall be maintained rather than posted to allow flexibility for programs to post this notification or use various software systems for notifications. Removed the requirement to maintain the record for 60 days due to unnecessary burden and potential financial cost.</p> <p>Removed the requirement for providing written notification of behavioral problems and maintains the requirements that parents be informed to support the collaborative relationship between the parent and the facility.</p> <p>Section 22.1-289.018 (Inspections and Interviews) of the Code of Virginia authorizes the Department to inspect the program activities, facilities, and services.</p> <p>The Department supports a collaborative relationship between the parent and the facility. Revised to clarify children's injuries or involvement with injuries require a written record and incidents which require a report to the Department are also required to be provided to parents.</p> <p>Removed the requirement for providing written notification of behavioral problems and maintains the requirements that parents be informed to support the collaborative relationship between the parent and the facility.</p> <p>Revised to focus on the attempts made at tummy time rather than the duration to decrease the burden on staff to track the time infants spend in tummy time.</p> <p>Documentation of children's daily care and activities provides useful information for caregivers and families regarding patterns, developmental milestones, and adjustments that may be needed.</p> <p>Ensures child protection by allowing the department to confirm with the center that added protections have been put in place to prevent recurrence. Also allows DOE to help guide programs in steps to take related to notifications.</p>
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<p>Ame Wren          Anonymous          Frances Powell, Tuckaway          Child Development          Centers          Jennifer Slack, Our          Neighborhood Child          Development Center          Liz Dowdy/Concerned          Citizens for Child Care          Maria Ferrone, Creative          Kids          Marieke Jones          Marielle Sheridan          Nancy Renner          Samantha Anliker-          Tuckaway Child Care</p>	<p><b>8VAC20-781-420</b></p> <p>Commenters          concerned that          language is          restrictive and          prohibits the use of          recycled materials for          craft projects,          including disposable          materials repurposed          for learning and play.</p>	<p>Removed the requirement for the single use of          disposable products to allow flexibility in the use          of recycled materials for crafts and play. Added          language regarding disposable products used          during mealtime in 'Nutrition and Food          Services'.</p> <p>The intent of this requirement is to ensure that          children, families, and staff all know where to          locate a particular child's items and for ease of          care.</p> <p>The intent of this requirement is to reduce the          spread of infectious diseases. Language          revised to prevent unnecessary washing of          unused items.</p> <p>Clarification added to only require items          provided by the center and used by children to          be washed weekly.</p>
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<p>Adrian Ramos-Beckert                  Alicia Rhyne                  Alla Austin                  Anonymous                  April                  Bailey DiCaprio                  Brett Champlin                  Bridgett Springer                  Brooke Russell                  Chad Austin                  Chelsey Johnson                  Corey Borgman                  Desiree Petruzzelli                  Dr. Corey Borgman:                  President, Virginia                  Montessori                  Association                  Emily Mullen                  Hannah Johnson                  Hayley Letterio                  Jackie Garrison                  Jade Scurrall                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Jill Boyce                  Karen Hudzinski-                  Beach                  Kasey Hamlet                  Lauren Roberts                  Lindsey Newton                  Lucas Scott                  Matthew Anderson                  Paige Loeven                  Rebecca Toohey                  Sara Carroll,                  Cuddlebugs Child                  Development Center                  Shannon Coulson                  Shannon Saxby,                  LMSW                  Taylor Farris                  Tessa Mayberry                  Whitney Glencross</p>	<p><b>8VAC20-781-430</b></p> <p>Comments requesting more stringent requirements regarding the use of cribs. Additional comments received advocating for the use of floor beds.</p>	<p>The Department is committed to safe sleep for infants. The standards incorporate the most recent recommendations of the American Academy of Pediatrics.</p> <p>Language revised to increase the safety of sleeping infants and clarifies that the use of certain equipment is prohibited in the crib when infants are sleeping in accordance with standards in Caring for Our Children and recommendations made by the American Academy of Pediatrics.</p>
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<p>S. Banks</p>	<p><b>8VAC20-781-440</b> Comment received requesting clarification on the use of pillows.</p>	<p>The regulation currently has a standard which prohibits the use of soft objects for infants under 12 months when sleeping or resting.</p>
<p>Anonymous S. Banks Anonymous</p>	<p><b>8VAC20-781-450</b> Comments received requesting clarification on the term 'wading' and requirements for an assessment to determine swim level.</p>	<p>Added a definition of wading to provide clarification on wading and swimming activities.  Added clarification for the required information to determine if a child is a swimmer or nonswimmer. The intent of additional supervision requirements are to ensure the safety of children participating in swimming and wading activities. Language revised to clarify supervision requirements for the group.  The intent of additional supervision requirements are to ensure the safety of children participating in swimming and wading activities.</p>
<p>Anonymous</p>	<p><b>8VAC20-781-460</b> General comment received on requirements for pools and equipment.</p>	<p>Requirements strengthened to enhance the safety of children when participating in water activities.  The intent of safety requirements for pools and equipment are to ensure the safety of the equipment used when children are participating in swimming and wading activities.</p>
<p>Liz Dowdy/Concerned Citizens for Child Care S. Banks</p>	<p><b>8VAC20-781-470</b> Comments received about the leakproof storage system required for soiled and contaminated clothing.</p>	<p>Language revised to clarify that contaminated clothing may be placed in a leakproof storage bag if stored separately and sealed.</p>

<p>Anonymous Belinda Thomas Candice Chris McQuade Clark Andrs, River's Bend Children's Center Frances Powell, Tuckaway Child Development Centers Jennifer Slack, Our Neighborhood Child Development Center Liz Dowdy/Concerned Citizens for Child Care Marieke Jones Paige Kepner, Child Development Center at Wyndham Shannon B. Child Day Center Director VCCA member Virginia Child Care Association</p>	<p><b>8VAC20-781-480</b></p> <p>Several comments received about handwashing and requirements for staff to wash their hands upon entering the classroom, and the timing of handwashing around diapering and other times staff are required to wash their hands.</p>	<p>The intent of handwashing standards is to ensure infection control.</p> <p>Standards are aligned with national standards for handwashing and are closely aligned with Caring for Our Children.</p> <p>Language revised to require handwashing when there is direct contact with the medication or topical skin product.</p> <p>Language revised to require staff wash their hands upon entering the facility prior to working with children.</p> <p>Standards allow for safe cleaning of infant's hands.</p>
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<p>Corey Borgman                  Dr. Corey Borgman:                  President, Virginia                  Montessori Association                  Frances Powell, Tuckaway                  Child Development                  Centers                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Liz Dowdy/Concerned                  Citizens for Child Care                  Marieke Jones                  Samantha Anliker-                  Tuckaway Child Care</p>	<p><b>8VAC20-781-490</b></p> <p>Comments received on requirements including sanitation requirements and use of diapers and training pants. Additional comments received on flexibilities needed for children potty training.</p>	<p>The standards currently allow children who are toilet training to be changed standing up in the diapering area or in the bathroom. Language revised to clarify that children in underwear may be changed standing in the diapering area or bathroom.</p> <p>Removed requirement to clean and sanitize diaper storage system daily.</p> <p>Requirements for cloth diapers aligned with Caring for Our Children. The intent is to ensure sanitation requirements for the purpose of infection control.</p>
<p>Anonymous                  Paige Kepner, Child                  Development Center at                  Wyndham                  Jennifer Slack, Our                  Neighborhood Child                  Development Center</p>	<p><b>8VAV20-781-510</b></p> <p>Comments received about requirements for disposal, expired medication, and parent authorizations.</p>	<p>Language revised to clarify that medication may not be kept or used beyond the date of expiration or use by date on the medication container.</p> <p>Requirements for parent authorization are included in the section.</p>

<p>Ame Wren          Anonymous          April          Belinda Thomas          Brian Simalchik          Chris McQuade          Clark Andrs, River's Bend          Children's Center          Danielle Simone, River          Road Preschool          Dawn Bryant, Our          Neighborhood Child          Development Center          Frances Powell, Tuckaway          Child Development          Centers          James Woods Pollard          Jenn Lobo          Jennifer Slack, Our          Neighborhood Child          Development Center          Karen Hudzinski-Beach          Kate Ferris, Stay &amp; Play          Leonid          Liz Dowdy/Concerned          Citizens for Child Care          Maria Ferrone, Creative          Kids          Marieke Jones          Marielle Sheridan          Miriam Skadron, Our          Neighborhood Child          Development Center          Paige Kepner, Child          Development Center at          Wyndham          Rebecca Cobbs          Samantha Anliker-          Tuckaway Child Care          Sara Carroll, Cuddlebugs          Child Development Center          Shannon B. Child Day          Center Director          Virginia Child Care          Association          YMCA of South Hampton          Roads</p>	<p><b>8VAC20-781-570</b></p> <p>Several comments received about the new documentation requirement for all topical skin products administered by the facility.</p>	<p>Language revised to address current requirements for records for diaper ointment and insect repellent. Removed burdensome requirement to maintain a record for all topical ointments.</p> <p>Language revised to clarify that certain topical skin products may be self-administered by children five years of age or older. Currently standards only allow for children nine years or older to self-administer.</p>
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<p>S. Banks Jennifer Slack, Our Neighborhood Child Development Center</p>	<p><b>8VAC20-781-580</b>  Comments received about requirements for first-aid kits to include clarification of language and digital thermometers.</p>	<p>Language revised to provide clarification on the required first-aid supplies.  The intent is to ensure that first-aid instruction materials and instruction are available to staff. No change.</p>
<p>Liz Dowdy/Concerned Citizens for Child Care</p>	<p><b>8VAC20-781-600</b>  Comment received requesting clarification on the requirement for emergency response drills in each building used by children.</p>	<p>Evacuation drills are required to be practiced monthly in every building used by children.  The intent is to ensure the safety and well-being of children during emergency response.</p>

<p>Ame Wren                  Anonymous                  Clark Andrs, River's Bend                  Children's Center                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Liz Dowdy/Concerned                  Citizens for Child Care                  Marielle Sheridan                  Shannon B. Child Day                  Center Director                  Virginia Child Care                  Association</p>	<p><b>8VAC20-781-610</b></p> <p>Comments received about the requirement for beverages made available to children throughout the day. Additional comments included on sanitation requirements before and after eating choking, and food and drinks during transportation.</p>	<p>Language revised to promote drinking water to be offered at regular intervals.</p> <p>The intent of this requirement is to protect children from potential choking hazards.</p> <p>Requirements aligned with Child and Adult Child Care Food Program (CACFP) and Caring for Our Children requirements.</p> <p>The intent of this requirement is to prevent outbreaks of foodborne illnesses and infectious disease and to protect children from potential exposure to allergens.</p> <p>This requirement is aligned with national standards and Caring for Our Children.</p> <p>The intent of this requirement is to ensure children's safety and well-being during transportation by eliminating potential hazards associated with eating and drinking in a moving vehicle.</p> <p>The intent of this requirement is to ensure children's safety and well-being during mealtime by eliminating potential hazards associated with eating and drinking.</p>
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<p>Jennifer Slack, Our Neighborhood Child Development Center S. Banks Sara Carroll, Cuddlebugs Child Development Center</p>	<p><b>8VAC20-781-620</b>  Comments received about requirements for warming infant foods, emergency bottles, and the use of inclusive terminology.</p>	<p>Language revised to clarify that certain infant foods must be warmed according to the standards. Requirements for food brought from home are covered in a different section.</p> <p>The standards clarify that high chairs, infant seats or feeding tables may be used. The intent is to ensure that infants are fed or eat while sitting upright.</p> <p>The regulation regarding special feeding was revised throughout the regulation to reflect more inclusive language.</p> <p>Language revised to clarify that non disposable bottles may be used if they are clean and empty and there is an adequate supply.</p>
<p>Sandra Quigg, Boys &amp; Girls Clubs of Harrisonburg, and Rockingham</p>	<p><b>8VAC20-781-630</b>  A comment received on the requirement to post field trip locations and a concern for staff and children safety.</p>	<p>Language revised to require field trip information to be shared with parents and removes the requirement for posting.</p>

<p>Alana                  Anonymous                  Chris McQuade                  Frances Powell, Tuckaway                  Child Development                  Centers                  Jennifer Slack, Our                  Neighborhood Child                  Development Center                  Kenlee Ngo                  Leonid                  Liz Dowdy/Concerned                  Citizens for Child Care                  Marieke Jones                  Nancy Renner                  Samantha Anliker-                  Tuckaway Child Care</p>	<p><b>8VAC20-781-650</b></p> <p>Several comments received on the language prohibiting certain animals to be in an area accessible to children. Concerns about prohibiting class pets and opportunities for children’s learning.</p>	<p>Language revised to clarify that certain animals that may put children at risk for illness may be kept if children do not come in direct physical contact with the animals. Additional clarification added concerning stray and wild animals. Requirements aligned with national standards for child safety.</p> <p>The intent of this standard is to ensure the safety of children when they are exposed to pets.</p>
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	<b>General Comments</b>	
<p>Aaron Zhang                      Anonymous                      Anonymous-Portsmouth,                      VA Beach, Norfolk,                      Chesapeake and etc                      Brianne Rose                      Brynn Simons                      Chris McQuade                      Danielle Simone, River                      Road Preschool                      Donna                      James Woods Pollard                      Jennifer Slack, Our                      Neighborhood Child                      Development Center                      Jessica                      Krisztina Szekely                      Leonid                      Long time provider                      Primrose School Virginia                      Beach South                      Sara Carroll, Cuddlebugs                      Child Development Center                      Tizzy Gruss,                      Charlottesville Area                      Childcare Network,                      Blossom Play Space</p>	<p>Positive feedback on                      the layout and                      conciseness of the                      standards and                      general                      improvements.                      Issues including                      funding, delays in                      background check                      requirements,                      training, regulating                      unlicensed care,                      adding an allowance                      for Naloxone, cost                      factors, and technical                      assistance.</p>	<p>Specific standards are not included in comment                      or concerns are outside of the scope of the                      Standards for Licensed Child Day Centers.</p>

## Public Participation

*Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.*

The Board is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by email to Tatanishia Armstrong, Legislative Consultant, Virginia Department of Education, PO Box 2120, Richmond, VA 23218, 804-382-5047, [tatanishia.armstrong@doe.virginia.gov](mailto:tatanishia.armstrong@doe.virginia.gov). In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

## Detail of Changes

*List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply but delete inapplicable tables.*

*If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.*

**Table 1: Changes to Existing VAC Chapter(s)**

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
780-10	781-10	This section includes definitions of terms used within the definition to clarify requirements.	<p>New or revised definitions: 'Abusive head trauma', 'Cooperative preschool center', 'Date of employment', 'Enrolled', 'Experience in a supervisory capacity', 'Fall height', 'Field trip', 'Play yard', and 'Sanitizing agent'</p> <p>Added to clarify terms used within the regulation.</p> <p>Removed: 'Adult', 'Aide', 'Age groups', 'Body fluids', 'Camp', 'Center', 'Communicable disease', 'Department's representative', 'Good character and reputation', 'High school program completion or equivalent', 'Independent contractor', 'Intervention strategies', 'lockdown',</p>

			<p>'Minor injury', 'Physician', 'Serious injury', 'Shelter-in-place', 'Sponsor', 'Staff positions'.</p> <p>The impact is a clear and concise regulation with requirements that may be interpreted accurately by providers.</p>
780-20		References Chapter 14.1, Article 3, Article 4 of Title 22.1, 22.1-16 and 22.1-289.046 of the Code as the basis for legal authority.	This section has been repealed. Duplicative of Code requirements.
780-30	781-20	This section describes the purpose and applicability of the standards.	<p>Requirements in 8VAC20-780-30 retained in new chapter.</p> <p>Merged requirements to simplify standard.</p> <p>The intent is to simply regulations for ease of reading.</p> <p>The impact is a clear and concise regulation with requirements that may be interpreted accurately by providers.</p>
780-40	781-30	<p>This section describes operational responsibilities.</p> <p>Current standards reference sections 22.1-289.034 and 19.2-392.02 referenced in describing background check requirements. Additional code requirements cited include 22.1-289.011 and 22.1-289.027.</p> <p>Current standard requires list of allergies,</p>	<p>This section retains current requirements in 8VAC20-780-40.</p> <p>Added that licensee must ensure compliance with federal, state, or local laws and regulations.</p> <p>Added to align with other Department regulations.</p> <p>Added provisions for the care of children of staff when present at the center added to licensee responsibilities.</p> <p>Removed duplicative Code language pertaining to licensee's requirement to comply with other applicable regulations, inspection requirements, posting and advertising, and general operation requirements.</p> <p>Added language to allow allergy list to be posted with parent permission.</p>

		<p>sensitivities and dietary restrictions be kept confidential.</p>	<p>Revised standard to allow flexibility in parent choice in the case of life-threatening allergies that parents want posted more visibly.</p> <p>Added requirements for children present at the center and under the care of staff.</p> <p>The intent is to reduce ambiguity around visiting children and the center's responsibilities for them.</p> <p>Added requirements for the possession and administration of epinephrine.</p> <p>The intent is to comply with § 22.1-289.059 of the Code of Virginia.</p> <p>The intent is to align with the Code of Virginia.</p> <p>The impact is emergency medication will be available in the event a child experiences anaphylactic shock.</p>
780-50	781-40	<p>This section describes requirements for general record keeping.</p>	<p>Retains current requirements in 8VAC20-780-50 for general recordkeeping regarding confidentiality and accessibility.</p> <p>Added requirements to keep records secure and current.</p> <p>Added specific language to allow electronic files.</p> <p>Added requirements for the accessibility of children's records.</p> <p>The intent is to align with § 20.124.6 of the Code of Virginia.</p> <p>Added requirements for the confidentiality of files and records.</p> <p>The intent is to ensure children's and parent's information are kept confidential. Essential records required for emergency purposes are not required to be locked but must be kept confidential.</p> <p>The intent is to ensure confidentiality of information and to ensure that accurate information is on file for children's protection.</p>

780-60	781-50	<p>This section describes requirements for children’s records.</p> <p>Current standards require information prior to enrollment.</p> <p>Current requirements list allergies, intolerances to medication or other substances, chronic physical or medical conditions, special needs, dietary restrictions, pertinent behavior or developmental information and special accommodations.</p>	<p>Retains current requirements in 8VAC20-780-60.</p> <p>Revised information required in children’s file to allow more flexibility in providing information to the center.</p> <p>Added dietary preferences. Written care plans expanded to include any health issues that are likely to result in a medical emergency plan.</p> <p>Added language to clarify when a special care plan is required for a health issue.</p> <p>Exemption for obtaining health records on a child were expanded to include all children when a center assumes responsibility for the child directly from a school or transfers responsibility to the school.</p> <p>Added clarifying language regarding the release of children.</p> <p>Removed the following requirements from children’s records: information regarding parent employment; name and phone of child's physician; addresses of emergency contacts; and the requirement to store blanket permission slips and opt-out requests.</p> <p>The intent is to relieve administrative burden for parent and center.</p>
780-70	781-60	<p>This section describes requirements for staff records.</p>	<p>Retains current requirements in 8VAC20-780-70.</p> <p>Removed requirement for reference checks and emergency contact person for staff.</p> <p>The intent is to reduce administrative burden.</p>
780-80	781-70	<p>This section describes requirements for attendance records and reports.</p> <p>Current standards require documentation</p>	<p>Retains current requirements in 8VAC20-780-80.</p> <p>Added language to require attendance to reflect the time of children’s arrival and departure.</p>

		<p>of arrival and departure as it occurs.</p> <p>Current requirements require a report to the Superintendent if local authorities have been contacted.</p> <p>Current requirement requires occurrence of communicable disease to be reported to parents.</p>	<p>Requires the list to reflect the children in care in each group.</p> <p>Revised requirement for written record of daily attendance clarifies requirements necessary for child safety.</p> <p>The intent is to ensure accurate information is available for emergency personnel and to ensure the safety of children.</p> <p>Added a requirement for a situation in which a child's whereabouts was unknown, including a child left unattended or unsupervised to be reported to the Department.</p> <p>The intent is to ensure that reports are provided in incidents where children are left unattended and therefore not under the care and supervision of staff assigned to them at the center.</p> <p>Requirement to report an outbreak of disease to the Virginia Board of Health.</p>
	<p>781-80</p>	<p>Current standard under 780-140 requires documentation of physical examination prior to enrollment.</p> <p>Current standard requires documentation of TB results be no more than 30 days old.</p>	<p>Incorporates requirements from 780-90, 780-130, 780-140, 8VAC20-780-150 and 780-160</p> <p>References Section 22.1-271.2 of the Code of Virginia for immunization requirements.</p> <p>Merged and simplified requirements for physical examinations.</p> <p>The intent is to align language with § 22.1-271.2 of the Code.</p> <p>Allows greater flexibility in the timeline for obtaining physical examinations and provides 30 days to comply with documentation requirements.</p> <p>Allows greater flexibility in the timeline for obtaining TB screening and results.</p> <p>Removed requirements for documentation of updated immunizations and refers to the Code; requirement for repeat TB screening every two years unless medically necessary, exposure, or</p>



			symptoms are present; and physical and mental health requirements for staff.
780-90		This section describes written agreements between the parent and the center.	Incorporated in Section 781-410.
780-100		This section describes enrollment procedures for therapeutic and special needs child day programs.	Section repealed.
780-110		This section describes individual assessment requirements for therapeutic child day programs.	Incorporated requirements in 781-690, new section applicable to therapeutic programs.
780-120		This section describes individual service, education, or treatment plans for therapeutic child day programs.	Incorporated requirements in new section, 781-700 applicable to therapeutic programs.
780-130		<p>This section describes health provisions for children and staff.</p> <p>Current standards lists all requirements for immunizations from the Code.</p> <p>All requirements including the immunization schedule in Section 22.1-271.2 of the code in current standard.</p>	Incorporated in 781-80.
780-140		This section describes physical exams required before attending or within 30 days.	Incorporated in 781-80.
780-150		This section describes requirements for the forms used to complete immunization and	Section repealed.

		physical documentation.	
780-160		This section describes TB screening required at the time of employment and completed within 30 days, and repeat screenings.	Incorporated in 781-80.
780-170		Health requirements for staff described in standard.	Section repealed.
780-180		This section describes general qualifications of all staff. Requirements include character and reputation, communication, knowledge of needs of children.	Section repealed.
780-190	781-90	<p>This section describes program director qualifications.</p> <p>Current standards require six to twelve months of experience in addition to education qualification,</p> <p>Current requirements do not have provisions that allow a qualified lead teacher to serve as a director.</p> <p>Current standards limit individuals 19 years of age to serving as program director for short term programs serving only school age children.</p>	<p>Retains qualification requirements in 8VAC20-780-190.</p> <p>Reduces required supervisory experience to 3 months to add greater flexibility in recruiting directors.</p> <p>Allows a qualified lead teacher to meet director qualifications if applicable programmatic and supervisory requirements are met.</p> <p>Allows an individual who is only 19 years old to serve as a director of any short term program.</p> <p>Removed lengthy and unnecessarily complicated qualification requirements.</p> <p>The intent is to add more options for individuals to qualify for essential roles. The impact is increased flexibility in recruitment and hiring to allow staff to fulfill roles in a timely manner.</p>

780-200	781-100	<p>This section describes requirements for program directors and backup directors.</p> <p>Current standards require director to be on-site 50% of the center's hours of operation.</p> <p>Current standards require a back-up director to be on site if the program director is not on-site.</p>	<p>Retains requirements for a qualified director in 8VAC20-780-200.</p> <p>Added provisions for oversight and management of the facility.</p> <p>Requirement for directors to designate one or more staff to assume the director's responsibilities in the director's absence.</p> <p>Requirements for qualifications and orientation for individuals who can serve as director designee.</p> <p>Removed confusing language pertaining to requirements for the director to be on site more than 50% of the hours of operation.</p> <p>The intent is to ensure operational continuity in the absence of the director.</p>
780-210	781-110	<p>This section describes program leader qualifications.</p>	<p>Incorporates qualification requirements in 8VAC20-780-210.</p> <p>Added qualification option: Career Studies Certificate (CSC). CSC aligns with Virginia Community College System certifications in early childhood education.</p> <p>Added qualification option: Virginia endorsement in a child-related field approved by the department. Endorsement aligns with offerings by agencies contracted with the department to offer such coursework.</p> <p>Added flexibilities in time allotted to complete 24 hours of training for lead teacher position.</p> <p>Removed outdated references to training hours required in 2005-2007.</p> <p>Removed qualifications for lead teachers in therapeutic day and special needs programs because there is a new section specific to these programs.</p> <p>The intent is for education and qualification requirements to reflect updated options based on educational opportunities and experience, and offer increased flexibility in recruitment and hiring to allow staff to fulfill roles in a timely manner..</p>

	781-120		<p>New Section. Incorporates requirements from 780-70, 780-180, and 780-580.</p> <p>Added requirements for driver qualifications.</p> <p>Added a requirement for valid driver’s license and driving record (or proof of insurance) for individuals transporting children.</p> <p>Added training for drivers.</p> <p>The intent is to provide added safety measures for children by requiring minimal qualifications related to staff transporting children.</p>
780-220		This section states that aides should be at least 16 years of age.	Section repealed.
780-230		This section describes requirements for independent contractors.	Section repealed.
780-240	781-130	This section describes staff orientation training requirements.	<p>Retains requirements in 8VAC20-780-240.</p> <p>Incorporates technical edits to clarify orientation training requirements.</p> <p>Added requirements for orientation on children’s health issues, child development, and classroom management.</p> <p>Added a prelicensure orientation requirement for all directors. This training will count towards annual training requirements and is offered at no charge by the Department.</p> <p>Replaced orientation training in first aid and CPR with overview of first aid and CPR skills to provide clarification of requirement.</p> <p>Volunteers working more than eight hours per week must be trained in emergency procedures; current requirement is volunteers working more than six hours.</p> <p>Removed reference to documenting orientation training because this is already covered in staff records.</p> <p>Added to ensure that all staff caring for children receive the same basic entry-level training.</p> <p>The intent is to ensure critical health and safety training is provided to staff. Ensures that part-time and substitute staff receive training in the event that they must be alone with children.</p>

780-245	781-140	<p>This section describes requirements for ongoing training.</p> <p>Current standards require training for volunteers that work more than six hours.</p>	<p>Retains requirements from 8VAC20-780-245.</p> <p>Added language to clarify that all staff are required to complete annual training on emergency preparedness, child abuse and neglect, and mandated reporter requirements.</p> <p>Added language to limit annual emergency preparedness training for volunteers to those working more than 8 hours per week; current requirement is for those working more than 6 hours per week.</p> <p>Added flexibility to allow preservice orientation completed to count towards annual training.</p> <p>Revised standards for volunteers and requires training for volunteers who work more than eight hours.</p> <p>Removed list of topics from annual training requirements and adds a requirement for the department's annual health and safety update course to meet CCDF requirements.</p> <p>Removed reference to documenting annual training because this is already covered in staff records.</p> <p>Removed references to medication administration training and daily health observation training because these requirements were moved to new sections.</p> <p>Removed language about allowing training to count toward annual hours (training counts unless specifically prohibited).</p> <p>Added to reduce the administrative burden of centers by allowing flexibility in selecting annual training for staff and allowing all training except for orientation to count towards annual training.</p> <p>The intent is to ensure that staff receive professional development opportunities related to their job responsibilities to best ensure care to children.</p>
	781-150		<p>New section that incorporates requirements from 8VAC20-780-530.</p>

		<p>Current standards require at least two staff members trained in first aid and CPR are present on field trips.</p>	<p>Reduced the requirement to have two staff certified in first aid and CPR present on field trips to one staff.</p> <p>Added language to exempt medical professionals with a current license or certification from first aid certification requirements.</p> <p>Replaced the reference to first responder training for primitive camps with emergency medical responder training.</p> <p>Added to provide greater flexibility for centers while still ensuring staff are trained to respond to medical emergencies.</p> <p>The intent is to ensure that there are sufficient staff trained to respond in the event of a medical emergency.</p>
	781-160	<p>Current standards only require daily health observation training and ensuring trained staff is on duty.</p>	<p>New section.</p> <p>Retains requirements from 8VAC20-780-245 but incorporates technical edits to clarify requirements</p> <p>Added requirement to implement training and perform daily health checks.</p> <p>The intent is to ensure that the health of children is reviewed to implement provisions for infection control and exclusion.</p> <p>The impact is that the center will be able to identify potential concerns about a child's health including illness or injury and may help reduce transition of illness within the center.</p>
	781-170		<p>New section.</p> <p>Retains current requirements from 8VAC20-780-245 related to medication administration training and organizes requirements into a new section.</p> <p>Added references to the Virginia Drug Control Act in § 54.1-3408 for individuals qualified to administer medication.</p> <p>Removed requirements for VDOE related to the training curriculum. The standards are not</p>

			<p>intended to regulate the Department; regulations are applicable to licensees.</p> <p>Added requirement for individuals trained in the administration of stock epinephrine to be retrained at three-year intervals.</p> <p>The intent is to ensure that staff are appropriately trained to administer medication to children in care per parent request and in response to medical emergencies.</p>
	781-180		<p>New section.</p> <p>Added required training for drivers on safety restraints, tracking children, behavioral issues, first aid supplies, emergency procedures, and applicable transportation policies.</p> <p>The intent is to improve child safety during transportation.</p>
780-250	781-190	This section describes required inspections or approvals from other agencies prior to initial licensure.	<p>Retains requirements from 8VAC20-780-250.</p> <p>Added a new requirement for lead assessments prior to initial licensure for buildings built prior to 1978.</p> <p>Written lead risk assessment required from licensed lead risk assessor pursuant to § 54.1-500.</p> <p>The intent is to add protections for children. The federal government didn't ban consumer uses of lead-based paint until 1978.</p>
780-260	781-200	This section describes required inspections or approvals from other agencies subsequent to initial licensure.	<p>Retains current requirements from 8VAC20-780-260.</p> <p>Added requirements for a building inspection and local health department to be completed before the use of newly constructed, renovated, remodeled, or altered buildings or sections of buildings.</p> <p>Added requirements for follow-up when lead was detected and not removed as a result of the lead assessment.</p> <p>Added a requirement for primitive camps to notify the fire department and emergency medical</p>

			<p>services of any changes in camp location and hours.</p> <p>The intent is to ensure that space and areas used for care are safe for children.</p> <p>Removed allowance for buildings previously approved to operate under 25 square feet per child when licensee changes.</p>
780-270	781-210	This section describes requirements for building maintenance.	<p>Incorporates requirements from 780-270, 780-290, and 780-300.</p> <p>Added requirements for the use of portable heaters and unvented fuel burning heaters;</p> <p>Added requirements to address safety around electrical and extension cords; and safety around hazardous mechanical or electrical equipment.</p> <p>Added a requirement for carbon monoxide detectors pursuant to § 22.1-289.058. This requirement is currently in place. This is a technical addition to include the requirement in the regulation.</p> <p>Added a requirement for lead testing of potable water.</p> <p>Added to align with § 22.1-289.057 of the Code.</p> <p>Adds flexibility to allow tamper resistant outlets and surge protectors.</p> <p>The intent is to help providers identify additional safety hazards to better protect children.</p>
780-280	781-220	This section describes requirements for hazardous substances and other harmful agents.	<p>Retains current safety requirements in 8VAC20-780-280.</p> <p>Added language to prohibit the use of electronic smoking devices.</p> <p>Added standards for suffocation prevention requiring empty plastic bags large enough for a child's head to fit inside, disposable gloves, and rubber or latex balloons are inaccessible to children under three years of age.</p> <p>Added standards for choking prevention requiring items with a diameter of less than 1-1/4 inch and a length of less than 2-1/4 inches are inaccessible to children under three years of age.</p>



			<p>Added standards for strangulation prevention requiring strings and cords long enough to encircle a child's neck, such as those found on window blinds or drapery cords, are inaccessible to children under six years of age.</p> <p>Removed restriction on some materials and substances for safe use as arts and crafts materials.</p> <p>The intent is to ensure that children are not exposed to known hazardous substances.</p> <p>The impact is increased protections for children.</p>
780-290		This section describes general physical plant requirements for centers serving children of preschool age or younger.	Section repealed.
780-300		This section describes general physical plant requirements for centers serving school age children.	Section repealed.
780-310	781-230	This section describes requirements for indoor space and areas available for and used by children.	<p>Retains current requirements from 8VAC20-780-310.</p> <p>Added a requirement for infants and toddlers to have a separate outdoor play area or play time from older children.</p> <p>Removed requirements that have timed-out or are clarified under other requirements (i.e., square footage requirements).</p> <p>The intent is to ensure that adequate space is provided for children.</p>
780-320	781-240	This section describes requirements for restroom areas and furnishings.	<p>Retains current requirements from 8VAC20-780-320.</p> <p>Added a requirement for stepstools to have a non-slip surface.</p> <p>Added a requirement for a lined waste container.</p> <p>Removed specific exceptions for restroom requirements at primitive camps; primitive camps by definition do not have the items excepted.</p>

			Removed requirements related to staff restrooms.
780-330	781-250	<p>This section describes requirements for playground equipment and outdoor play spaces.</p> <p>Current requirements are outdated.</p> <p>Current requirements require a shaded area June-August.</p>	<p>Incorporates and reorganizes current requirements from 8VAC20-780-330 and 8VAC20-780-430.</p> <p>Updated protective surfacing requirements and references the most recent recommendations by the U.S. Consumer Product Safety Commission.</p> <p>Maintains flexibility regarding playground equipment for centers licensed prior to the effective date of the regulation.</p> <p>Added requirements for multi-axis swings, maximum fall heights, and inflatable equipment.</p> <p>Expanded shade requirements to May through September.</p> <p>Intent is to align with standards of the Consumer Product Safety Commission’s Playground Safety Handbook.</p> <p>The impact is increased safety of children when using equipment and providing safe options for play.</p>
780-340	781-260	<p>This section describes requirements for the supervision of children.</p> <p>Currently, a lead teacher is required in each grouping of children except during the first and last hour of operation when a center operates more than six hours per day.</p>	<p>Incorporates current requirements from 780-340 and enhances supervision requirements.</p> <p>Added specific requirements for staff alertness and sight and sound supervision without the aid of electronic equipment.</p> <p>The intent of this standard is to ensure that children receive care and supervision appropriate for a group setting.</p> <p>Added additional times when a lead teacher is not required in each grouping of children to include short breaks, special activities, and the first and last 90 minutes of operation when a center operates more than eight hours.</p> <p>The intent is to allow for flexibility in the requirement for lead teaches to be able to temporarily step away from the group.</p>

			Removed requirement for staff to greet each child upon arrival at the center and oversee each child's departure from the center.
780-350	781-270	<p>This section describes requirements for staff-to-children ratios and group size.</p> <p>Current school-age ratio is 1:18. Current requirements do not establish a group size for school-age children.</p>	<p>Maintains current requirements from 8VAC20-780-350.</p> <p>Revises ratio for school-age children to 1:20.</p> <p>Group size of 100 established for school-age children to comply with federal requirements.</p> <p>Incorporates provisions for providers to request for ratio waivers, given certain criteria are met.</p> <p>Removed language about ability to reassign children to different age groups for administrative purposes but not casually and repeatedly.</p> <p>Removed rest time ratios and balanced mixed age ratios. Requirements moved to another part of the regulation.</p>
	781-280		<p>Incorporates requirements from 780-350.</p> <p>Incorporates technical edits to clarify requirement and definition of balanced-mixed age grouping.</p> <p>Separates requirements in 8VAC20-780-350 into a new section specifically for balanced mixed-age-groupings.</p> <p>Added an allowance of doubling ratios for balanced-mixed age groupings during rest periods to be consistent with other age group allowances.</p>
	781-290		<p>Incorporates requirements from 780-350.</p> <p>Separates requirements in 8VAC20-780-350 into a new section specifically for ratios during rest periods.</p> <p>Removed duplicative requirement for staff to remain within sight and sound because this is always required.</p>
	781-300		<p>New section. Incorporates requirements from 780-580.</p> <p>Created new section for ease of use and rewrites so standards are clear related to ratios and supervision during transportation and field trips. Only technical edits were made.</p>
780-355		This section describes requirements for staff-to-children ratios	Moved to 781-720.

		requirements for therapeutic and special needs program staff.	
780-360	781-310	This section describes general requirements for daily activities.	<p>Incorporates requirements from 780-360.</p> <p>Added requirements for media use with flexibility incorporated for educational materials for all age groups.</p> <p>Added that media provided by the center is limited to age appropriate programs, is developmentally appropriate and based on the needs of the children.</p> <p>Removed exception for specialty camps not needing to provide opportunities for self-chosen tasks, curiosity, and exploration.</p> <p>Removed references to children who cannot move without assistance and children in therapeutic day programs because these requirements were moved to new sections.</p>
780-370	781-320	This section describes general requirements for daily activities for infants.	<p>Incorporates requirements from 780-370.</p> <p>Added requirement to respond promptly to infants who are crying or distraught.</p> <p>Added language to prohibit car seat use for anything other than transportation.</p> <p>Added language to prohibit crib use for anything other than sleep.</p> <p>Added language to prohibit confinement in equipment for more than 30 minutes except when eating and requires a period of one hour between confinements.</p> <p>Revised language for tummy time removes focus on number of minutes and instead requires three attempts daily at supervised tummy time for approximately three to four minutes per time.</p> <p>Added language to prohibit confinement in equipment for more than 30 minutes except when eating and requires a period of one hour between confinements.</p> <p>Revised language for tummy time removes focus on number of minutes and instead requires two attempts daily at supervised tummy time.</p>

			<p>Removed allowances for infants to sleep in play spaces including cribs, infant seats, play yards, exercise chairs or saucers, infant swings, high chairs, and floor space.</p> <p>The intent is to ensure the safety of infants.</p>
	781-330		<p>Incorporates requirements from 780-370.</p> <p>Added language to prohibit the use of adaptive equipment unless a signed physician's statement is on file.</p> <p>Added language to require staff to move infants to crib and additional requirements for checking sleeping infants.</p> <p>Added language to prohibit clothing that could restrict breathing or cover the infant's head or face.</p> <p>Removed requirements related to positioning of infants in a side-sleeping position.</p> <p>The intent is to ensure the safety or resting or sleeping infants.</p>
780-380	781-340	This section describes requirements for daily activities for toddlers and preschoolers.	<p>Retains current requirements from 8VAC20-780-380. Separates "toddlers" in "toddlers and twos" to align with definitions, ratios, and other age-related standards.</p> <p>Added additional requirements for checking sleeping toddlers.</p> <p>Added language to prohibit confinement in equipment for more than 30 minutes for toddlers, twos, and preschoolers, except when eating, and requires a period of one hour between confinements.</p> <p>Removed requirements for facilitation of language development (not related to health or safety; VQB5 for measurement of teacher: child interactions).</p> <p>The intent is to provide safety when equipment is used appropriately for children to prevent children from being confined in equipment for extended time periods.</p>
780-390	781-350	This section describes requirements for daily activities for school-age children.	<p>Incorporates requirements from 780-390.</p> <p>Added a requirement for a schedule to be available for school-age children.</p>

			The intent is to ensure that school age children also receive structured activities. Language is aligned with requirements for toddlers, twos, and preschool children.
	781-360		<p>New section.</p> <p>Requires the center to work with the parent and the staff assigned to the child to develop a plan for care and activity opportunities appropriate to the child's individual needs.</p> <p>The impact is enhanced care and protection of children with special needs and allows parents to have more involvement in determining what care and services are best for their child.</p>
780-400	781-370	This section describes requirements for behavioral guidance.	<p>Incorporates requirements from 780-400.</p> <p>Added a requirement for the center to use positive methods of guiding behavior.</p> <p>The intent is protection of children.</p>
780-410	781-380	This section describes prohibited actions.	<p>Incorporates requirements from 780-410.</p> <p>Added language to prohibit withholding of outside time as punishment.</p> <p>The intent is protection for children and to provide clarity for programs related to prohibited actions.</p>
780-420	781-390	This section describes provisions for parental involvement.	<p>Incorporates requirements from 780-420.</p> <p>Added specific guidance for communication regarding the center's emergency procedures.</p> <p>Added requirements to notify parents of the center's relocation site, method of communication during an emergency, and procedures for reunification.</p> <p>The intent is to ensure that families are informed of services related to their children to allow parents to make informed decisions related to the care setting.</p>
	781-400		<p>Incorporates requirements from 780-420, 780-490, and 780-550.</p> <p>Added requirements for parent communication, notification regarding persistent behavior problems, change in emergency plans, and notification of whereabouts after an emergency evacuation.</p> <p>The intent is to ensure that families are informed of care provided to their children.</p>

			Removed requirement for center to provide feedback if asked by parents.
	781-410		<p>Incorporates requirements from 780-90.</p> <p>Added a standard for a required authorization for the center to transport the child in the event of an emergency including needing medical care or facility relocation.</p> <p>The intent is to ensure that proper permissions have been secured in the event children need to be transported in an emergency.</p>
780-430	781-420	This section describes requirements for equipment and materials.	<p>Incorporates requirements from 8VAC20-780-430.</p> <p>Added requirements for cleaning and sanitizing washable toys and materials.</p> <p>Added a requirement to clean and sanitize water play tables or tubs daily if used.</p> <p>Removed exception related to using public or private school equipment. Permitted unless specifically prohibited.</p> <p>The intent is to reduce the spread of infectious diseases. Language revised to prevent unnecessary washing of unused items.</p>
780-440	781-430	This section describes requirements for cribs, cots, rest mats, and beds.	<p>Incorporates requirements from 780-440.</p> <p>Added provisions for sleep to include the prohibition of cribs as a play space and a requirement for one inch of cushioning for rest mats required</p> <p>Added language to prohibit cribs with mesh sides.</p> <p>Added requirements for crib design and recall. These are covered in other standards requiring equipment that has not been recalled.</p> <p>The intent is to ensure the safety of children.</p>
780-450	781-440	This section described requirements for the use of linens.	<p>Incorporates requirements from 780-450.</p> <p>Removed requirement for crib sheets to be washed daily.</p> <p>Removed specific temperature requirements for linens when washed.</p>

<p>780-460 and 780-480</p>	<p>781-450</p>	<p>Section 780-460 describes requirements for staff and supervision during swimming and wading activities.</p> <p>Section 780-480 describes requirements for swimming and wading to include emergency procedures, parent permission, and accounting for children in the water.</p>	<p>Incorporates requirements from 780-460 and 780-480.</p> <p>Added requirements for safety and supervision during swimming activities.</p> <p>Added a requirement for designated staff required to maintain active supervision when any child is in or around water.</p> <p>Added a requirement for separate staff to supervise children in water and non-participating children.</p> <p>Added language to require a system required for accounting at all times for all children in the water and in the aquatic area.</p> <p>Added a requirement for one lifeguard required for every 25 children in the water on duty and supervising the children.</p> <p>The intent is to ensure the safety of children participating in swimming and wading activities.</p>
<p>780-470</p>	<p>781-460</p>	<p>This section describes requirements for pools and equipment.</p>	<p>Incorporates current requirements from 780-470.</p> <p>Added language to allow children who are not toilet trained to use portable wading pools if there is an integrated filtration system.</p> <p>The intent is to ensure the safety of the equipment used when children are participating in swimming and wading activities.</p>
<p>780-490</p>	<p>781-470</p>	<p>This section describes requirements for preventing the spread of disease.</p>	<p>Creates new Part VII that retains requirements from 8VAC20-780-490.</p> <p>Revised exclusion criteria; changes fever leading to exclusion from 101°F to 100.4°F.</p> <p>Added language to require contaminated clothing to be stored in leakproof storage bag.</p>



780-500	781-480	This section described requirements for hand washing and toileting procedures.	<p>New section for handwashing retains requirements from 8VAC20-780-500. Separates handwashing from toileting procedures for ease of use.</p> <p>Added requirements for handwashing for children and adults: after coming in from outdoors; after handling or caring for animals; before and after playing with water used by more than one child; when hands are visibly dirty; before and after administering medication or topical skin products; before and after eating; after handling garbage or cleaning materials; and when entering the facility before working with children.</p> <p>The intent is to ensure infection control and align with national standards and guidance from Caring for Our Children.</p>
	781-490		<p>Incorporates requirements from 780-500.</p> <p>New section for diapering and toileting retains requirements from 8VAC20-780-500. Separates handwashing from toileting procedures for ease of use.</p> <p>Added language to prohibit leaving a child unattended on the diapering surface.</p> <p>Added language to require staff to check diapers and disposable training pants at least once every two hours.</p> <p>Added flexibility to change toileting-training children in the bathroom and not on a diapering surface.</p> <p>Added language to requires storage system for soiled diapers to be cleaned and sanitized daily.</p> <p>Removed allowance to permit the use changing papers on diapering surface between children without cleaning or sanitizing changing table in-between.</p> <p>The intent is to ensure infection control and align with national standards and guidance from Caring for Our Children.</p>
	781-500		<p>New section for toilet training incorporates requirements from 780-500. Separates toilet training into new section for ease of use and makes technical edits. No substantive edits.</p>
780-510	781-510	This section describes requirements for the administration of medication.	<p>New section. Incorporates requirements from 780-245 and 780-510.</p>

			<p>Added a requirement for written parental authorization for medication required prior to a medication being accepted, maintained, or stored at the center.</p> <p>Added language to require medications accepted, maintained, or stored at the center to be labeled with the child's name, and not kept or used beyond the date of expiration.</p> <p>Added language to allow additional time for parents to retrieve child medication after expiration of authorization.</p> <p>Allowance for long-term medication to be allowed based on physician instructions.</p>
	781-520		<p>New section. Incorporates requirements from 780-510.</p> <p>Separates prescription medication into new section for ease of use.</p>
	781-530		<p>New section. Incorporates requirements from 780-510.</p> <p>Separates non-prescription medication into new section for ease of use.</p> <p>Added requirements relating to the center's procedures for administering medications now covered in 8VAC20-781-50</p>
	781-540		<p>New section. Incorporates requirements from 780-510.</p> <p>Separates storage of medication into new section for ease of use.</p>
	781-550		<p>New section. Incorporates requirements from 780-510.</p> <p>Separates medication records into new section for ease of use.</p>
	781-560		<p>New Section.</p> <p>Added requirements for self-administered medication.</p> <p>Added a requirement for the center to create policies and follow regulations for self-administration if self-administration is allowed.</p> <p>Added language requiring the center to document any medication self-administered by a child, notify the parent if safety procedures are not followed, and take responsibility for administering the medication.</p>

780-520	781-570	This section describes requirements for the administration of over-the-counter skin products.	<p>Incorporates current requirements from 780-520. Changes language from "over the counter" to "topical." Technical edits for ease of use.</p> <p>Added language that allows children five years of age and older to access and apply hand sanitizers, liquid hand soaps, sunscreens, lip balms, and hand lotions under adult supervision. (Currently only children 9 and older may apply their own sunscreen.)</p> <p>Added language that prohibits storage or use of topical skin products beyond the expiration date.</p>
780-530		This section describes requirements for first aid training and cardiopulmonary resuscitation.	Incorporates requirements from 780-530 and 780-580 in 781-150.
780-540	781-580	This section describes requirements for first aid and emergency supplies.	<p>Incorporates current requirements from 8VAC20-780-540. Technical edits for ease of use.</p> <p>Removed requirement for activated charcoal to be kept at the center and on field trips.</p>
780-550	781-590	This section describes procedures for emergencies to include an emergency preparedness plan with components to address evacuation, shelter-in-place, and lockdown.	<p>Incorporates current requirements from 8VAC20-780-240 and 8VAC20-780-550.</p> <p>Added a requirement for emergency procedures to include response to a pandemic.</p> <p>Added a requirement for methods to account for all children and ensure continued supervision of children in emergency.</p>
	781-600		<p>New section. Incorporates requirements from 780-550.</p> <p>Added a requirement for drills to be practiced in each building used by children and with all staff and children present at the time of the drill.</p> <p>Removed documentation requirements for certain aspects of the drill, such as the identity of person conducting the drill, method of notification, special conditions simulated, problems encountered, and weather conditions.</p>

			The intent is to ensure the safety and well-being of children during emergency response and align with CCDF requirements.
780-560	781-610	<p>This section describes requirements for nutrition and food services.</p> <p>Current standard requires staff sit with children.</p> <p>Current standards require tables and high chairs to be cleaned and sanitized daily.</p>	<p>Incorporates current requirements from 8VAC20-780-560.</p> <p>Revised standard to require staff to be present in the feeding area when children are eating. Current standard requires staff to sit with children.</p> <p>Removes requirement for tables and high chairs to be cleaned daily.</p> <p>Revised standard requires tables and high chair trays to be to clean and sanitized before and after each use.</p> <p>The intent is to prevent outbreaks of foodborne illnesses and infectious disease and to protect children from potential exposure to allergens. Removes redundant requirement for meal requirements. All centers required to follow USDA meal guidelines.</p> <p>Removed requirement for children to be encouraged to feed themselves.</p>
780-570	781-620	This section describes requirements for special feeding needs to include infant feeding and food preparation.	<p>Incorporates current requirements from 8VAC20-780-570.</p> <p>Added a requirement for documentation on infant feeding schedule to include whether infant receives breast milk, formula, or milk.</p> <p>Added additional safety measures for infant feeding including storage and preparation.</p> <p>Added a requirement to address feeding provisions during emergencies.</p>
	781-630		New section. Incorporates requirements from 780-580 related to field trips.
780-580	781-640	This section describes requirements for transportation and field trips.	<p>Incorporates current requirements from 8VAC20-780-580. Minor technical revisions.</p> <p>Added language to require a document containing local emergency contact information, potential shelters, hospitals, evacuation routes, etc.</p>

			<p>Added language to require a method of communication for emergencies during transportation.</p> <p>Removed requirement for center to be responsible for children during transportation (covered by other standards).</p> <p>Removed requirement for a vehicle's seats to be attached to floor (covered by other standards). Removes requirements for perishable food to be kept on ice in insulated container.</p>
780-590		This section describes requirements for the transportation of nonambulatory children.	Section repealed. Incorporated in requirements for therapeutic programs.
780-600	781-650	This section describes requirements for animals and pets.	<p>Retains current requirements from 8VAC20-780-600.</p> <p>Added language that requires monkeys, bats, ferrets, poisonous animals, reptiles, psittacine birds (birds of the parrot family), stray animals, or wild or dangerous animals to be inaccessible to children during the hours children are in care.</p> <p>Added language that prohibits animals that have shown aggressive behavior.</p> <p>Added language that requires all animal excrement required to be removed promptly, disposed of properly, and, if indoors, the soiled area cleaned and sanitized.</p> <p>Added language that requires first aid, parent notification, medical attention if necessary, and documentation in the event of a child receiving an animal bite.</p> <p>The intent is to ensure the safety of children when they are exposed to animals.</p>
780-610	781-660	This section describes requirements for evening and overnight care.	<p>Incorporates current requirements from 8VAC20-780-610.</p> <p>Removed requirement for bed with mattress for certain children.</p> <p>Removed requirement for separate sleeping areas for opposite sex children.</p> <p>Removed requirement for an evening snack (covered under other standards about timing of being offered food).</p>
	781-670		New section.

			The changes reflect reorganization and grouping of requirements for therapeutic and special needs programs that were previously located throughout the standards.
	781-680		<p>New section.</p> <p>The changes reflect reorganization and grouping of assessment requirements for therapeutic and special needs programs that were previously located throughout the standards.</p> <p>Addes a requirement for completing an intake assessment and to review and update at least annually.</p>
	781-690		<p>New section. Incorporates requirements from 780-110.</p> <p>The changes reflect reorganization and grouping of service plan requirements for therapeutic and special needs programs that were previously located throughout the standards.</p> <p>Added requirements for developing, implementing, reviewing, and documenting individualized plans.</p>
	781-700		<p>New section. Incorporates requirements from 780-120.</p> <p>The changes reflect reorganization and grouping of staff qualification requirements for therapeutic and special needs programs that were previously located throughout the standards.</p>
	781-710		<p>New Section. Incorporates requirements from 780-190 and 780-210.</p> <p>The changes reflect reorganization and grouping of staff training requirements for therapeutic and special needs programs that were previously located throughout the standards.</p> <p>Added language to return training requirement to previous requirement of 8 hours.</p> <p>The intent is to correct a technical error. The requirement was inadvertently changes as an adjustment to a proposed increase in annual training in another action.</p>
	781-720		<p>New Section. Incorporates requirements from 780-355.</p> <p>The changes reflect reorganization and grouping of staff-to-children requirements for therapeutic</p>

			and special needs programs that were previously located throughout the standards.
	781-730		<p>New Section. Incorporates requirements from 780-430.</p> <p>The changes reflect reorganization and grouping of equipment requirements for therapeutic and special needs programs that were previously located throughout the standards.</p>
	781-740		<p>New Section. Incorporates requirements from 780-430 and 780-570.</p> <p>The changes reflect reorganization and grouping of feeding requirements for therapeutic and special needs programs that were previously located throughout the standards.</p> <p>Removed duplicate requirements found in the Code or the Americans with Disabilities Act.</p>
	781-750		<p>New section. Incorporates requirements from 780-590.</p> <p>The changes reflect reorganization and grouping of transportation requirements for therapeutic and special needs programs that were previously located throughout the standards.</p>

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	8VAC20-781 [new chapter] 8VAC20-780 [repeal]
<b>VAC Chapter title(s)</b>	Standards for Licensed Child Day Centers [new chapter] Standards for Licensed Child Day Centers [repeal]
<b>Action title</b>	Action to adopt new Standards for Licensed Child Day Centers
<b>Date this document prepared</b>	June 27, 2024
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Proposed

**Cost Benefit Analysis**

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.



**Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)**

<p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p>	<p>Direct Costs:</p> <p>For each licensed child day center, there is an estimated net cost of:</p> <ul style="list-style-type: none"> <li>• \$1657.89 for staff time to complete training and materials costs to stock epinephrine.</li> <li>• \$331.30 for staff time on administrative duties associated with reviewing children’s records.</li> <li>• \$52.15 for staff time to complete program-based orientation.</li> <li>• \$52.59 for staff time to complete VDOE prelicensure orientation.</li> <li>• \$64.32 in materials costs for restroom supplies.</li> <li>• \$87.50 in staff time and materials to launder classroom items.</li> <li>• \$414.00 for the purchase of rest mats.</li> <li>• \$41.28 in materials for diapering supplies.</li> <li>• A one-time cost of \$200 is estimated for potable water lead testing.</li> </ul> <p>Indirect Costs: N/A</p> <p>Direct Benefits:</p> <p>For each licensed child day center, there is an estimated net savings of:</p> <ul style="list-style-type: none"> <li>• \$126.88 as a result of a reduction in staff time reviewing children’s records.</li> <li>• \$618.96 as a result of reduction in time with additional training counting towards required annual training.</li> <li>• \$10.71 reflecting reduced staffing requirements.</li> <li>• \$37,600 as a result of increased staff-to-children ratios.</li> <li>• \$14.10 as a result of reduced staff time with tracking children’s records.</li> <li>• \$78.88 as a result of reduced staff time associated with tracking staff records.</li> <li>• \$331.30 as a result of reduced staff time associated with tracking children’s health records.</li> <li>• \$8.50 as a result of removing the requirement for activated charcoal.</li> <li>• \$14.10 as a result of reduced staff time associated with maintaining documentation.</li> </ul> <p>Indirect Benefits: N/A</p>	
<p>(2) Present Monetized Values</p>	<p>Direct &amp; Indirect Costs</p>	<p>Direct &amp; Indirect Benefits</p>

	(a) \$2701.03 and a one-time cost of \$200.	(b) \$38,803.43
(3) Net Monetized Benefit	The regulatory flexibility in the proposed chapter provides for potential additional net revenue of \$35,902.40 for each licensed child day center.	
(4) Other Costs & Benefits (Non-Monetized)	Cost savings in staff time with reduced documentation needed for staff and children’s files. Additional cost savings with the removal of requirements which impose on flexibility in business practice. Reductions in materials and requirements which vary depending on the program structure can not be quantified.	
(5) Information Sources	<ul style="list-style-type: none"> <li>• Epinephrine cost estimate: <a href="#">Epinephrine Budget Planning</a></li> <li>• Staff training on epinephrine administration: <a href="#">MAT Program 2023</a></li> <li>• Restroom supplies: Amazon as of 6/4/24 (\$1.72 difference in cost for 3 bathrooms each month; 3 wastebaskets purchased and replaced every 10 years (=\$.80 per year)</li> <li>• Laundering washable toys: Amazon as of 6/4/24 (\$25 for 120 loads, 2.3 times per year).</li> <li>• Purchase of rest mats: <a href="#">Discount School Supply</a> (\$40 per mat every 5 years (=\$9/mat annually) for preschool through toddler classrooms)</li> <li>• Diapering supplies: Amazon as of 6/4/24 (\$1.72 difference in cost for 2 diapering areas each month)</li> <li>• Cost of activated charcoal: Amazon as of 6/4/24 (\$17/bottle every 2 years (=\$8.5 annually)</li> </ul> <p>*General cost estimates are based on a set of cost drivers, standard-specific assumptions, and variables that could impact costs aligned with the VDOE’s federally-approved method of cost modeling for quality child care that is used to set rates for the Child Care Subsidy Program.</p>	

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: N/A  Indirect Costs: N/A  Direct Benefits: N/A  Indirect Benefits: N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	

(4) Other Costs & Benefits (Non-Monetized)	Increased protections for child health and safety in licensed child day centers; increased regulatory flexibility for the regulated programs.
(5) Information Sources	N/A

**Table 1c: Costs and Benefits under Alternative Approach(es)**

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: N/A  Indirect Costs: N/A  Direct Benefits: N/A  Indirect Benefits: N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	There are no alternatives to regulatory action, as the Standards for Licensed Child Day Centers, are necessary for program implementation.	
(5) Information Sources	N/A	

**Impact on Local Partners**

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 2: Impact on Local Partners**

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: No impact on local partners.  Indirect Costs: No impact on local partners.  Direct Benefits: No impact on local partners.  Indirect Benefits: No impact on local partners.
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Assistance	N/A	
(5) Information Sources	N/A	

**Impacts on Families**

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 3: Impact on Families**

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: N/A Indirect Costs: N/A Direct Benefits: N/A Indirect Benefits: N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	<ul style="list-style-type: none"> <li>• Increased protections for child health and safety in licensed child day centers.</li> <li>• Increase in parent engagement to include added requirements for communication and notification,</li> <li>• Reduced burden for families pertaining to documentation needed for enrollment. Cost savings for families due to physical exams allowed to be completed up to 12 months prior to the first date of attendance. Medications allowed to be kept at the center longer after parent is notified that authorization has expired.</li> </ul>	

(4) Information Sources	N/A
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**Impacts on Small Businesses**

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 4: Impact on Small Businesses**

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: See analysis in table 1a. Indirect Costs: N/A Direct Benefits: See analysis in table 1a. Indirect Benefits: N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	Most licensed child day centers are small businesses; see analysis in table 1a.	
(4) Alternatives	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(5) Information Sources	N/A	

## Changes to Number of Regulatory Requirements

**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

### *Change in Regulatory Requirements*

<b>VAC Section(s) Involved*</b>	<b>Authority of Change</b>	<b>Initial Count</b>	<b>Additions</b>	<b>Subtractions</b>	<b>Total Net Change in Requirements</b>
8VAC20-780- 10. Definitions. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-781- 10. Definitions. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-780- 20. Legal authority. ( <i>Repealed</i> )	<b>(M/A):</b>	3	0	3	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-781- 20. Purpose and applicability. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-780- 30. Purpose and applicability. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-780- 40. Operational responsibilities. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	3	0	3	0
	<b>(D/R):</b>	42	0	42	0
8VAC20-781- 30. Operational responsibilities. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	4	0	4
	<b>(D/R):</b>	0	19	0	19
8VAC20-780- 50. General recordkeeping; reports. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	5	0	5	0

8VAC20-781-40. General recordkeeping. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	1	0	1
	<b>(D/R):</b>	0	8	0	8
8VAC20-780-60. Children's records. <i>(Repealed)</i> .	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	46	0	46	0
8VAC20-781-50. Children's records. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	31	0	31
8VAC20-780-70. Staff records. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	24	0	24	0
8VAC20-781-60. Staff records. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	15	0	15
8VAC20-780-80. Attendance records; reports. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	1	0	1	0
	<b>(D/R):</b>	6	0	6	0
8VAC20-781-70. Attendance records; reporting. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	2	0	2
	<b>(D/R):</b>	0	8	0	8
8VAC20-780-90. Parental agreements. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	6	0	6	0
8VAC20-781-80. Health provisions. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	9	0	9
8VAC20-780-100. Enrollment procedures of therapeutic child day programs and special	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	6	0	6	0

needs programs. <i>(Repealed)</i>					
8VAC20-781-90. Director qualifications. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	11	0	11
8VAC20-780-110. Individual assessment for therapeutic child day programs. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	2	0	2	0
8VAC20-781-100. Director responsibilities. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	5	0	5
8VAC20-780-120. Individual service, education or treatment plan for therapeutic child day programs. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	11	0	11	0
8VAC20-781-110. Lead teacher qualifications. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	5	0	5
8VAC20-780-130. Immunizations for children. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	2	0	2	0
	<b>(D/R):</b>	8	0	8	0
8VAC20-781-120. Driver qualifications and requirements. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	4	0	4
8VAC20-780-140. Physical examinations for	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	2	0	2	0
	<b>(D/R):</b>	12	0	12	0



children. ( <i>Repealed</i> )					
8VAC20-781-130. Orientation training. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	89	0	89
8VAC20-780-150. Form and content of immunizations and physical examination reports for children. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	4	0	4	0
8VAC20-781-140. Ongoing training. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	13	0	13
8VAC20-780-160. Tuberculosis screening for staff and independent contractors. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	23	0	23	0
8VAC20-781-150. First aid training and cardiopulmonary resuscitation (CPR). ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	6	0	6
8VAC20-780-170. Physical and mental health of staff and volunteers. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	2	0	2	0
8VAC20-781-160. Daily health observation training. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	8	0	8
	<b>(M/A):</b>	0	0	0	0

8VAC20-780-180. General qualifications. <i>(Repealed)</i>	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	10	0	10	0
8VAC20-781-170. Medication administration training. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	7	0	7
8VAC20-780-190. Program director qualifications. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	6	0	6	0
8VAC20-781-180. Driver training requirements. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	17	0	17
8VAC20-780-200. Program directors and back-up for program directors. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	5	0	5	0
8VAC20-781-190. Initial approval from other agencies; requirements prior to initial licensure. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	1	0	1
	<b>(D/R):</b>	0	13	0	13
8VAC20-780-210. Program leader qualifications. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	5	0	5	0
8VAC20-781-200. Annual and renewal approval from other agencies; requirements subsequent to initial licensure.	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	16	0	16

(New)					
8VAC20-780-220. Aides. (Repealed)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	1	0	1	0
8VAC20-781-210. Building maintenance. (New)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	8	0	8
	(D/R):	0	37	0	37
8VAC20-780-230. Independent contractors; volunteers. (Repealed)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	3	0	3	0
8VAC20-781-220. Hazardous substances and other harmful agents. (New)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	12	0	12
8VAC20-780-240. Staff training orientation. (Repealed)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	2	0	2	0
	(D/R):	50	0	50	0
8VAC20-781-230. Areas. (New)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	8	0	8
8VAC20-780-245. Ongoing training. (Repealed)	(M/A):	0	0	0	0
	(D/A):	3	0	3	0
	(M/R):	0	0	0	0
	(D/R):	40	0	40	0
8VAC20-781-240. Toileting areas and furnishings. (New)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	22	0	22
8VAC20-780-250. Approval from other	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	2	0	0	2

agencies; requirements prior to initial licensure. <i>(Repealed)</i>	<b>(D/R):</b>	7	0	10	7
8VAC20-781- 250. Indoor and outdoor play areas and equipment. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	40	0	40
8VAC20-780- 260. Approval from other agencies; requirements subsequent to initial licensure. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	8	0	8	0
8VAC20-781- 260. Supervision of children. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	23	0	23
8VAC20-780- 270. Building maintenance. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	22	0	22	0
8VAC20-781- 270. Staff-to- children ratio and group size requirements. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	27	0	27
8VAC20-780- 280. Hazardous substances and other harmful agents. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	18	0	18	0
8VAC20-781- 280. Ratios and group size for balanced-mixed- age groupings. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	8	0	8

8VAC20-780-290. General physical plant requirements for centers serving children of preschool age or younger. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	4	0	4	0
8VAC20-781-290. Ratios during designated rest periods. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	12	0	12
8VAC20-780-300. General physical plant requirements for centers serving school age children. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	4	0	4	0
8VAC20-781-300. Ratios and supervision during transportation and field trips. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	4	0	4
8VAC20-780-310. Areas. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	15	0	15	0
8VAC20-781-310. Daily activities. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	19	0	19
8VAC20-780-320. Restroom areas and furnishings. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	26	0	26	0
8VAC20-781-320. Daily care	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0

and activities for infants. <i>(New)</i>	<b>(D/R):</b>	0	23	0	23
8VAC20-780-330. Play areas. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	15	0	15	0
8VAC20-781-330. Resting and sleeping infants. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	8	0	8
8VAC20-780-340. Supervision of children. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	29	0	29	0
8VAC20-781-340. Daily care and activities for toddlers, twos and preschoolers. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	24	0	24
8VAC20-780-350. Staff-to-children ratio requirements. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	45	0	45	0
8VAC20-781-350. Daily care and activities for school age children. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	15	0	15
8VAC20-780-355. Staff-to-children ratio requirements for therapeutic and special needs program staff. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	14	0	14	0
8VAC20-781-360. Daily care and activities for children with special needs. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	5	0	5
	<b>(M/A):</b>	0	0	0	0

8VAC20-780-360. Daily activities. (Repealed)	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	12		12	
8VAC20-781-370. Behavioral guidance. (New)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	20	0	20
8VAC20-780-370. Daily activities for infants. (Repealed)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	27	0	27	0
8VAC20-781-380. Prohibited actions. (New)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	11	0	11
8VAC20-780-380. Daily activities for toddlers and preschoolers. (Repealed)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	21	0	21	0
8VAC20-781-390. Parental engagement. (New)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	1	0	1
	<b>(D/R):</b>	0	22	0	22
8VAC20-780-390. Daily activities for school age children. (Repealed)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	10	0	10	0
8VAC20-781-400. Parent communication and notification. (New)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	50	0	50
8VAC20-780-400. Behavioral guidance. (Repealed)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	19	0	19	0
8VAC20-781-410. Parental agreements. (New)	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	7	0	7

8VAC20-780-410. Forbidden actions. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	8	0	8	0
8VAC20-781-420. Play furnishings, equipment, materials and toys. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	46	0	46
8VAC20-780-420. Parental involvement. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	2	0	2	0
	<b>(D/R):</b>	43	0	43	0
8VAC20-781-430. Cribs, cots, rest mats, and beds. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	22	0	22
8VAC20-780-430. Equipment and materials. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	48	0	48	0
8VAC20-781-440. Linens. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	8	0	8
8VAC20-780-440. Cribs, cots, rest mats, and beds. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	22	0	22	0
8VAC20-781-450. Swimming and wading. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	19	0	19
8VAC20-780-450. Linens. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	12	0	12	0
8VAC20-781-460. Pools and equipment. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	25	0	25
	<b>(M/A):</b>	0	0	0	0



8VAC20-780-460. Swimming and wading activities; staff and supervision. <i>(Repealed)</i>	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	6	0	6	0
8VAC20-781-470. Preventing the spread of disease. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	11	0	11
8VAC20-780-470. Pools and equipment. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	27	0	27	0
8VAC20-781-480. Hand washing. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	34	0	34
8VAC20-780-480. Swimming and wading; general. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	8	0	8	0
8VAC20-781-490. Diapering and toileting <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	23	0	23
8VAC20-780-490. Preventing the spread of disease. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	10	0	10	0
8VAC20-781-500. Toilet training. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	6	0	6
8VAC20-780-500. Hand washing and toileting procedures. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	54	0	54	0
8VAC20-781-510. General	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0

requirements for medication administration. <i>(New)</i>	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	16	0	16
8VAC20-780-510. Medication. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	46	0	46	0
8VAC20-781-520. Prescription medication. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	6	0	6
8VAC20-780-520. Over-the-counter skin products. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	37	0	37	0
8VAC20-781-530. Non-prescription medication. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	7	0	7
8VAC20-780-530. First aid training and cardiopulmonary resuscitation (CPR). <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	9	0	9	0
8VAC20-781-540. Storage of medication. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	4	0	4
8VAC20-780-540. First aid and emergency supplies. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	21	0	21	0
8VAC20-781-550. Medication records. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	12	0	12
8VAC20-780-550. Procedures	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0

for emergencies. ( <i>Repealed</i> )	<b>(D/R):</b>	185	0	185	0
8VAC20-781-560. Self-administered medication. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	18	0	18
8VAC20-780-560. Nutrition and food services. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	41	0	41	0
8VAC20-781-570. Topical skin products. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	17	0	17
8VAC20-780-570. Special feeding needs. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	27	0	27	0
8VAC20-781-580. First aid and emergency supplies. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	20	0	20
8VAC20-780-580. Transportation and field trips. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	6	0	6	0
	<b>(D/R):</b>	37	0	37	0
8VAC20-781-590. Emergency preparedness and response plan. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	50	0	50
8VAC20-780-590. Transportation for nonambulatory children. ( <i>Repealed</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	10	0	10	0
8VAC20-781-600. Emergency response drills. ( <i>New</i> )	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	12	0	12
	<b>(M/A):</b>	0	0	0	0

8VAC20-780-600. Animals and pets. <i>(Repealed)</i>	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	10	0	10	0
8VAC20-781-610. Nutrition and food services. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	37	0	37
8VAC20-780-610. Evening and overnight care. <i>(Repealed)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	23	0	23	0
8VAC20-781-620. Special feeding needs. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	34	0	34
8VAC20-781-630. Field trips. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	6	0	6
	<b>(D/R):</b>	0	7	0	7
8VAC20-781-640. Transportation. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	30	0	30
8VAC20-781-650. Animals and pets. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	18	0	18
8VAC20-781-660. Evening and overnight care. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	24	0	24
8VAC20-781-670. Applicability. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	0	0	0
8VAC20-781-680. Assessments. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	4	0	4
8VAC20-781-690. Individual service,	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0

recreation, education, or treatment plan. <i>(New)</i>	<b>(D/R):</b>	0	7	0	7
8VAC20-781-700. Qualifications of staff. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	3	0	3
8VAC20-781-710. Staff training. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	10	0	10
8VAC20-781-720. Staff-to-children ratio requirements. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	12	0	12
8VAC20-781-730. Equipment and materials. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	2	0	2
8VAC20-781-740. Special feeding needs. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	4	0	4
8VAC20-781-750. Transportation for non-ambulatory children. <i>(New)</i>	<b>(M/A):</b>	0	0	0	0
	<b>(D/A):</b>	0	0	0	0
	<b>(M/R):</b>	0	0	0	0
	<b>(D/R):</b>	0	10	0	10
				<b>Grand Total of Changes in Requirements:</b>	<b>(M/A):0</b>
					<b>(D/A):0</b>
					<b>(M/R):23</b>
					<b>(D/R):1239</b>

**Key:**

*Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:*

**(M/A):** Mandatory requirements mandated by federal and/or state statute affecting the agency itself

**(D/A):** Discretionary requirements affecting agency itself

**(M/R):** Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

**(D/R):** Discretionary requirements affecting external parties, including other agencies

*Cost Reductions or Increases (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Requirement</b>	<b>Initial Cost</b>	<b>New Cost</b>	<b>Overall Cost Savings/Increases</b>
8VAC20-781-30	Stock epinephrine	NA	\$1657.89	\$1657.89
8VAC20-781-50	Review of children's records	NA	\$331.30	\$331.30
8VAC20-781-50	School-age children's records review	NA	-\$126.88	-\$126.88
8VAC20-781-130	Orientation training for staff	NA	\$52.15	\$52.15
8VAC20-781-130	Prelicensure orientation for directors	NA	\$52.59	\$52.59
8VAC20-781-140	Annual training	NA	-\$618.96	-\$618.96
8VAC20-781-240	Restroom supplies	NA	\$64.32	\$64.32
8VAC20-781-260	Staffing Requirements	NA	-\$10.71	-\$10.71
8VAC20-781-270	Increased staff-to-child ratio	NA	-\$37,600	-\$37,600
8VAC20-781-420	Washing soft toys used by children	NA	\$87.50	\$87.50
8VAC20-781-430	Rest mats with at least one inch of cushioning	NA	\$414.00	\$414.00
8VAC20-781-490	Diapering Supplies	NA	\$41.28	\$41.28
8VAC20-780-60	Information required for children's records (Removed)	NA	-\$14.10	-\$14.10
8VAC20-780-70	Information required for staff records (Removed)	NA	-\$78.88	-\$78.88
8VAC20-780-140	Physical exam for school-age children (Removed)	NA	-\$331.30	-\$331.30

8VAC20-780-540	First-aid supplies; activated charcoal	NA	-\$8.50	-\$8.50
8VAC20-780-550	Emergency drill documentation	NA	-\$14.10	-\$14.10

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Change</b>	<b>Overview of How It Reduces or Increases Regulatory Burden</b>
8VAC20-781-30	Added requirements for children of staff present at the facility to be considered enrolled.	All regulatory requirements would apply to these children possibly resulting in an increase for staff.
8VAC20-781-80	Added flexibility for staff TB testing.	Increased timeframe in which tuberculosis screening documentation is valid. Relief of burden for new onboarding staff. More flexibility added when staff may be exposed to tuberculosis.
8VAC20-781-90	Added additional director qualifications.	Added flexibility to allow for more options to qualify as a director.
8VAC20-781-100	Added requirements for director designee.	Additional operations costs may apply if coverage can not be fulfilled with one director and one designee.
8VAC20-781-110	Added additional lead teacher qualifications.	Added flexibility to allow for more options to qualify as a lead teacher.
8VAC20-781-120	Added new driver training requirements.	Most facilities utilize staff in multiple roles. Additional staffing may be needed if staff no longer qualify as a driver.
8VAC20-781-140	Increased flexibility for volunteer training.	Added flexibility to allow volunteers to work up to 8 hours with no added requirements.
8VAC20-781-150	Added flexibility for CPR/FA training.	Added flexibility to allow CPR and first aid certification

		to be obtained by any qualified individual or agency.
8VAC20-781-180	Added specific requirements for drivers.	Most facilities utilize staff in multiple roles. Additional staffing may be needed if staff no longer qualify as a driver.
8VAC20-781-200	Added lead testing requirements.	Cost can not be quantified due to the unknown cost of testing and remediation.
8VAC20-781-250	Added requirements for playgrounds.	Additional requirements for safe use of playground equipment dependent on whether or not the facility has equipment as well as the type and location of the equipment.
8VAC20-781-270	Added group size for school-age children.	Added group size for school age children. Additional staff may be needed to maintain group size in larger programs.
8VAC20-781-280	Increased flexibility for ratio during rest time for balanced-mixed age groupings.	Adds flexibility for ratios during rest time.
8VAC20-781-360	Adds requirement for a plan for a child with special needs.	May require additional time or staff to work with families on developing a plan of care and inclusion.
8VAC20-781-450	Adds requirements for supervision during swimming and wading.	New requirements for safety during swimming and wading activities applicable when facilities have these activities available.
8VAC20-781-490	Adds flexibility for diapering.	Added flexibility to allow changing in areas other than a diapering table.
8VAC20-781-660	Adds flexibility for overnight care.	Added flexibility for sleeping areas by removing requirement for separate sleeping areas.
8VAC20-780-180	Removed general qualification requirements.	Reduces burden of determining qualifications of staff and allowing the determination of certain criteria to be made based on business practices.
8VAC20-780-190	Reduced programmatic experience requirement.	Reduces required supervisory experience from 6 to 3 months



		to add greater flexibility in recruiting directors.
8VAC20-780-270	Removes requirement for water fountain or disposable cups.	Cost savings on facilities for new centers, and on disposable cups for existing and new centers.
8VAC20-780-310	Removed indoor space requirement for school-age camps.	Cost savings for outdoor camps and reduction in burden to secure a physical location.
8VAC20-780-320	Removed adult size toilet requirement for staff.	Cost savings on facilities for new centers.
8VAC20-780-340	Removes unnecessary staff responsibilities.	Reduces staffing burden.
8VAC20-780-610	Removed requirement for a mattress to be provided for overnight care.	Cost savings on materials for new centers, and for existing centers when mattresses need replacement.

*Length of Guidance Documents (only applicable if guidance document is being revised)*

<b>Title of Guidance Document</b>	<b>Original Word Count</b>	<b>New Word Count</b>	<b>Net Change in Word Count</b>
NA	NA	NA	NA
NA	NA	NA	NA

\*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).