



## Notice of Intended Regulatory Action (NOIRA) Agency Background Document

<b>Agency name</b>	State Board of Social Services
<b>Virginia Administrative Code (VAC) citation</b>	22 VAC 40-690
<b>Regulation title</b>	Virginia Child Care Provider Scholarship Program
<b>Action title</b>	Amend Child Care Provider Scholarship Program regulation for efficiency and effectiveness
<b>Date this document prepared</b>	February 14, 2007

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Purpose

*Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.*

The Virginia Child Care Scholarship Program provides financial assistance to child care providers attending child care development and administration courses at Virginia's institutions of higher education. This action amends the regulation to reflect the State Board of Social Services' goal to employ more efficient business practices, and to prioritize the selection and processing of scholarship applicants. Through a streamlined business process and the prioritization of applicant selection and eligibility, the implementation of acquired knowledge will have a more immediate, positive impact on children in child care.

### Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

The Code of Virginia, § 63.2-217, provides the State Board of Social Services with the authority to promulgate this regulation. The Board shall adopt such regulations, not in conflict with this title, as may

be necessary or desirable to carry out the purpose of this title. The regulation is not mandated by federal or state law or regulation.

### Need

*Please detail the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, delineate any potential issues that may need to be addressed as the regulation is developed.*

The proposed regulatory action will allow the agency to prioritize the distribution of scholarships based on the individuals' current commitment to the field of child care. Research indicates that the applied education of child care providers has a positive correlation to the quality of care provided. By giving priority to individuals who are currently in the field and who demonstrate commitment to child care, there is a greater opportunity to immediately increase the level of quality of care offered to children. Increasing the level of care quality positively impacts the health, safety and welfare of the children in care.

### Substance

*Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed.*

The current section, 22 VAC40-690-20, Application procedures, indicates that applications are obtained from and must be submitted directly to the Virginia Department of Social Services. The amendment will reflect the Department's use of a contractor as the designated agency authorized to accept scholarship applications.

The current section, 22 VAC40-690-30, Selection and eligibility, item A., indicates that scholarships are awarded on a first-come, first-served basis. The amendment will extend priority to applicants who are currently working in the field of child care.

B.3 indicates that applicants may have no more than three occurrences of the following for courses for which the applicant received a Virginia Child Care Provider Scholarship:

- a. Did not register for the course after receiving an award;
- b. Did not complete the course and received a grade of "W" for withdrawal; or
- c. Did not receive a passing grade.

The amendment will indicate that for any of the above noted conditions, the State will not award future scholarships to an individual until the applicant reimburses the State for the course tuition and fees that were paid to the college or university on behalf of the applicant.

The current section, 22 VAC40-690-40, College and university agreements, indicates that the Department must enter into a written agreement with colleges and universities that have five or more students who participate in the scholarship program. The amendment will require that the Department distribute written policies, procedures and expectations to all participating colleges and universities instead of having formal agreements. This will promote appropriate and efficient implementation of the program.

The current section, 22 VAC40-690-55, Disbursement of funds, includes language relative to the agreement with colleges and universities. This section will be amended to reflect the change regarding formal agreements with colleges and universities.

The current section, 22 VAC40-690-65, Recipient responsibilities, does not clearly articulate the total award available to eligible applicants. The amendment will clarify the terms of the maximum lifetime award available to applicants.

Application forms will be amended to reflect updates.

## Alternatives

*Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action. Also, please describe the process by which the agency has considered or will consider other alternatives for achieving the need in the most cost-effective manner.*

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There is no feasible alternative to amending the current regulation. The regulation is needed to safeguard the equitable and appropriate distribution of scholarship funds to assist child care professionals with raising their early childhood education level. The amended regulation will make the process more efficient and streamlined.

## Family impact

*Assess the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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- 1) The child care workforce participating in the scholarship program will be able to immediately implement college course information in the child care setting. Children and families are able to readily benefit from the increased knowledge of child care providers.

The training that participants receive will strengthen and enhance their ability to recognize and support parents as the child's first and primary teacher.

- 2) Providers who attend and complete college classes improve their level of self-sufficiency by increasing their potential for success and employment in the field of early childhood education.

Quality child care options provide parents and families with resources and services to be self-sufficient and earn income working while raising a family.

- 3) Parents with reliable, quality child care are less likely to be absent from work. Thus, they are able to maintain income and reduce the potential stress on marriage that may result from financial problems.

- 4) Individuals who increase their level of education also increase their income potential.

Also, parents will decrease the risks of lost wages that may occur due to the unavailability of quality child care providers.

