



Exempt Action Final Regulation Agency Background Document

Agency name	Child Day-Care Council
Virginia Administrative Code (VAC) citation	22VAC15-30
Regulation title	Standards for Licensed Child Day Centers
Action title	Amend the Regulation to Comply with Code of Virginia
Final agency action date	November 10, 2011
Document preparation date	November 10, 2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

This regulatory action implements recent amendments to §§ 63.2-1715 and 63.2-1734 of the Code of Virginia (Code) by the 2011 Session of the General Assembly (Chapters 139 and 363, 2011 Acts of Assembly). A regulatory change to the second exemption from licensure (the exemption for "Come and Go" programs) that is listed under the definition of "child day center" aligns the wording of this exemption from licensure with the wording in the Code. Also, currently the regulation contains requirements for outdoor playground areas and equipment used by children in licensed child day centers. A regulatory change provides an exemption to those requirements for outdoor play areas and equipment that are to be used by school-age children in child day programs located in public and private schools when the outdoor play areas and equipment have been approved for use by students of the school during school hours.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On November 10, 2011, the Child Day-Care Council approved the final exempt action to amend the regulation entitled Standards for Licensed Child Day Centers, 22VAC15-30.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have a positive impact on the institution of the family and family stability through the health benefits derived from increasing children’s outdoor play time. According to “Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, 3rd Edition” developed by the American Academy of Pediatrics, the American Public Health Association, and the National Resource Center for Health and Safety in Child Care and Early Education, allowing school-age children in after-school child care programs to use the playground equipment they use during school hours provides opportunities for vigorous physical activity that will help children to “develop gross motor skills and fine motor play in ways that are difficult to duplicate indoors. Outdoor play is not only an opportunity for learning in a different environment; it also provides many health benefits. Outdoor play allows for physical activity that supports maintenance of a healthy weight. Light exposure of the skin to sunlight promotes the production of vitamin D that growing children require.”