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Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation(s)	22 VAC 40-185
Regulation title(s)	Standards for Licensed Child Day Centers
Action title	Amend Offense Provisions for Licensed Child Day Centers
Final agency action date	August 17, 2016
Date this document prepared	August 17, 2016

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) or an agency's basic statute, the agency is not required, however, 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 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The definition of offense in § 63.2-1719 is being amended to include a conviction of any offense set forth in § 9.1-902 that results in the person's requirement to register in the Sex Offender and Crimes Against Minors Registry. The purpose of the action is to implement the provisions of House Bill 920 (2016).

A reference to subsection C of § 63.2-1720 is added, which describes a barrier crimes exception for child day centers.

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 August 17, 2016, the State Board of Social Services took final action on the Standards for Licensed Child Day Centers, 22VAC40-185.

Family impact

Please assess the impact of this 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.

The changes to the regulation will strengthen the protections to children in licensed and regulated programs. These changes will not have any impact on the institution of the family and family stability. The changes will neither strengthen or erode the authority or rights of parents, nor encourage or discourage self-sufficiency, self-pride or the assumption of responsibility for one's self, or others. There should be no impact on marital commitment. There are no anticipated changes to disposable family income as a result of this regulatory action. The Department has no discretion in this action as it is the result of a Code change.