



## Exempt Action Final Regulation Agency Background Document

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|----------------------------------------------------|---------------------------------------------------------|
| <b>Agency name</b>                                 | Child Day-Care Council                                  |
| <b>Virginia Administrative Code (VAC) citation</b> | 22 VAC 15-51                                            |
| <b>Regulation title</b>                            | Background Checks for Licensed Child Day Centers        |
| <b>Action title</b>                                | Change to incorporate recent change to Code of Virginia |
| <b>Final agency action date</b>                    | May 12, 2005                                            |
| <b>Document preparation date</b>                   | May 12, 2005                                            |

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, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

### 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.*

The change reflects a provision added to the Code of Virginia by the 2005 General Assembly that a child day center may hire for compensated employment persons who have been convicted of not more than one misdemeanor offense under § 18.2-57 if 10 years have elapsed following the conviction, unless the person committed such offense while employed in a child day center or the object of the offense was a minor.

### 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.*

The Child Day-Care Council took final action on 22 VAC 15-51, Background Checks for Licensed Child Day Centers, on May 12, 1005.

## Family impact

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

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There is no impact on the sense of security families will have for children in licensed child day centers because 10 years must have elapsed since the conviction and the conviction cannot have occurred when the person was employed at a child day center. Employment must be denied if the object of the offense was a minor. Further, licensed child day centers continue to have authority to deny employment to a person with a conviction of § 18.2-57, assault or assault and battery, if there is any concern about such employment.