LIST OF VIRGINIA CHILDCARE RGULATIONS DIVIDED INTO REQUIREMENTS RELATED TO CHILDREN'S HEALTH AND SAFETY, AND REQUIREMENTS RELATED TO ADMINISTRATION

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As compiled by the Hopkins House Public Policy & Advocacy Committee
Julie N. Jakopic, Chair

REQUIREMENTS DIRECTLY RELATED TO CHILDREN'S HEALTH AND SAFETY

A. Requirements applicable broadly to regulated childcare

1. **Building-code, fire, health, and facility approvals** — Code § 22.1-289.017; 8VAC20-821-50.
2. **VDOE inspection authority and access to facilities and records** — Code §§ 22.1-289.018 and 22.1-289.019; 8VAC20-821-110.
3. **Child identity and age verification** — Code §§ 22.1-289.046 and 22.1-289.049.
4. **Required employee, volunteer, contractor, applicant, and agent background checks** — 8VAC20-821-160 through 8VAC20-821-210.
5. **Exclusion of persons with disqualifying criminal or child-abuse backgrounds** — 8VAC20-821-180.
6. **Background checks for qualifying residents of family day homes** — 8VAC20-821-170.
7. **Parental access while a child is in care** — Code § 22.1-289.054.
8. **Protection against retaliation for reporting suspected child abuse or neglect** — Code § 22.1-289.045.

B. Licensed child day centers—direct safety requirements

9. **Complete child records, including emergency contacts, authorized pickup persons, allergies, medical conditions, and special accommodations** — 8VAC20-780-60.
10. **Staff records documenting qualifications, references, health information, training, and emergency contacts** — 8VAC20-780-70.

11. **Daily attendance and arrival/departure records** — 8VAC20-780-80.
12. **Parent agreements addressing emergency care, medication, transportation, pickup, and related authorizations** — 8VAC20-780-90.
13. **Individual assessments and service plans for therapeutic and special-needs programs** — 8VAC20-780-100 through 8VAC20-780-120.
14. **Children's immunizations** — 8VAC20-780-130.
15. **Children's physical examinations** — 8VAC20-780-140 and 8VAC20-780-150.
16. **Tuberculosis screening for staff and independent contractors** — 8VAC20-780-160.
17. **Physical and mental fitness of staff and volunteers** — 8VAC20-780-170.
18. **Minimum qualifications for staff, directors, program leaders, aides, contractors, and volunteers** — 8VAC20-780-180 through 8VAC20-780-230.
19. **Staff orientation on supervision, emergencies, child abuse reporting, health, safety, and center procedures** — 8VAC20-780-240.
20. **Ongoing staff training** — 8VAC20-780-245.
21. **Initial and continuing fire, health, building, sanitation, and other agency approvals** — 8VAC20-780-250 and 8VAC20-780-260.
22. **Safe building maintenance** — 8VAC20-780-270.
23. **Secure storage and control of hazardous substances and harmful agents** — 8VAC20-780-280.
24. **Physical-plant requirements for centers serving preschool-age and younger children** — 8VAC20-780-290.
25. **Physical-plant requirements for centers serving school-age children** — 8VAC20-780-300.
26. **Safe and adequate indoor activity areas** — 8VAC20-780-310.
27. **Safe restroom areas and furnishings** — 8VAC20-780-320.
28. **Safe outdoor and playground areas, fencing, equipment, and resilient surfacing** — 8VAC20-780-330.
29. **Sight-and-sound and other required supervision of children** — 8VAC20-780-340.
30. **Staff-to-child ratios and maximum group sizes** — 8VAC20-780-350.
31. **Ratios for therapeutic and special-needs programs** — 8VAC20-780-355.
32. **Developmentally appropriate daily activities and physical activity** — 8VAC20-780-360 through 8VAC20-780-390.
33. **Constructive, developmentally appropriate behavioral guidance** — 8VAC20-780-400.
34. **Prohibition against corporal punishment, humiliation, threats, harmful restraint, food or rest deprivation, and other forbidden disciplinary actions** — 8VAC20-780-410.
35. **Required parent notification of injuries, emergencies, communicable diseases, medication errors, and other significant events** — 8VAC20-780-420.
36. **Safe, sufficient, and developmentally appropriate equipment and materials** — 8VAC20-780-430.
37. **Safety requirements for cribs, cots, rest mats, and beds** — 8VAC20-780-440.

38. **Clean, individually assigned, and properly maintained linens** — 8VAC20-780-450.
39. **Swimming and wading supervision, staffing, and lifeguard requirements** — 8VAC20-780-460.
40. **Pool construction, safety equipment, and rescue equipment** — 8VAC20-780-470.
41. **General swimming and wading safety procedures** — 8VAC20-780-480.
42. **Prevention of communicable-disease transmission** — 8VAC20-780-490.
43. **Handwashing, diapering, and toileting procedures** — 8VAC20-780-500.
44. **Medication authorization, storage, administration, documentation, and error response** — 8VAC20-780-510.
45. **Authorization and safe use of sunscreen, diaper ointment, insect repellent, and other over-the-counter skin products** — 8VAC20-780-520.
46. **First-aid and pediatric CPR coverage** — 8VAC20-780-530.
47. **First-aid kits and emergency supplies** — 8VAC20-780-540.
48. **Emergency-preparedness procedures and drills** — 8VAC20-780-550.
49. **Nutrition, food safety, meal frequency, drinking water, and choking prevention** — 8VAC20-780-560.
50. **Infant feeding, special diets, food allergies, and other special feeding needs** — 8VAC20-780-570.
51. **Transportation and field-trip safety** — 8VAC20-780-580.
52. **Transportation of nonambulatory children** — 8VAC20-780-590.
53. **Safety, health, and supervision requirements concerning animals and pets** — 8VAC20-780-600.
54. **Additional safeguards for evening and overnight care** — 8VAC20-780-610.

C. Licensed family day homes—direct safety requirements

55. **Licensed capacity limitations** — 8VAC20-800-40.
56. **Child records, emergency information, and parent disclosures** — 8VAC20-800-50 through 8VAC20-800-80.
57. **Children's immunizations and physical examinations** — 8VAC20-800-90 through 8VAC20-800-110.
58. **Provider and caregiver qualifications, orientation, annual training, and medication training** — 8VAC20-800.
59. **Direct supervision of children** — 8VAC20-800-560.
60. **Family-day-home caregiver point system** — 8VAC20-800-570.
61. **Safe home environment and control of suffocation, strangulation, drowning, poisoning, fire, electrical, and other hazards** — 8VAC20-800, Part VII.
62. **Safe storage of firearms and ammunition** — Code § 22.1-289.056; 8VAC20-800-270.
63. **Developmentally appropriate activities, outdoor play, rest, and supervision** — 8VAC20-800-580.

64. **Safe infant-sleep practices** — 8VAC20-800-590.
65. **Screen and electronic-media limits** — 8VAC20-800-610.
66. **Positive behavioral guidance** — 8VAC20-800-630.
67. **Forbidden disciplinary practices** — 8VAC20-800-640.
68. **Parent notification of injuries, medication errors, missing children, communicable diseases, and emergencies** — 8VAC20-800-650.
69. **Disease prevention, sanitation, handwashing, diapering, and infection control** — 8VAC20-800, Part IX.
70. **Emergency plans and drills** — 8VAC20-800, Part XI.
71. **Injury, incident, suspected-abuse, and disease-outbreak reporting** — 8VAC20-800-840 through 8VAC20-800-860.
72. **Nutrition, infant feeding, food storage, drinking water, and choking prevention** — 8VAC20-800-870 through 8VAC20-800-970.
73. **Transportation safety** — 8VAC20-800-980 through 8VAC20-800-1010.
74. **Additional safeguards for nighttime care** — 8VAC20-800-1020.

ADMINISTRATIVE AND OTHER REQUIREMENTS NOT DIRECTLY RELATED TO CHILD SAFETY

A. Licensure and governance

75. **Definition and scope of a child day center** — Code § 22.1-289.02; 8VAC20-780-10 through 8VAC20-780-30.
76. **Definition and scope of a family day home or home-based childcare provider** — Code § 22.1-289.02.
77. **Thresholds requiring a family day home to be licensed** — Code § 22.1-289.02.
78. **License required before beginning operations** — Code § 22.1-289.011; 8VAC20-821-20.
79. **Form, terms, duration, and expiration of licenses** — 8VAC20-821-30.
80. **Licenses are not transferable between owners or legal entities** — 8VAC20-821-30.
81. **Applicant qualifications, organizational standing, financial responsibility, and prelicensure orientation** — 8VAC20-821-40.
82. **Modification of license terms** — 8VAC20-821-60.
83. **Requests for regulatory variances** — 8VAC20-821-70.
84. **Conditional licenses** — 8VAC20-821-80.
85. **Refusal to issue a license** — 8VAC20-821-90.
86. **Timely license-renewal applications** — 8VAC20-821-100.
87. **Qualifications and documentation for renewal** — 8VAC20-821-110.
88. **Refusal to renew a license** — 8VAC20-821-120.
89. **Provisional licenses and corrective-action requirements** — 8VAC20-821-130.
90. **Application dates and nonrefundable application fees** — 8VAC20-821-140.
91. **Applicable licensure fee amounts** — 8VAC20-821-150.

92. **General maintenance of the license and continuing compliance** — 8VAC20-821-240 and 8VAC20-821-250.
93. **Production of records requested by the Superintendent or VDOE** — 8VAC20-821-260.
94. **Prohibited acts, including false statements, concealment, record falsification, interference, and unauthorized operation** — 8VAC20-821-270.

B. Records, business practices, and parent disclosures

95. **Licensee responsibility for overall regulatory compliance** — 8VAC20-780-40.
96. **Posting the license where it is conspicuous to the public** — 8VAC20-780-40.
97. **Truthful and nondeceptive advertising** — Code § 22.1-289.027; 8VAC20-780-40.
98. **Public-liability insurance of at least $500,000 per occurrence and $500,000 aggregate for each center site** — 8VAC20-780-40.
99. **Confidentiality, accessibility, and retention of child and staff records** — 8VAC20-780-50.
100. **General reporting and record-production requirements** — Code § 22.1-289.021.
101. **Insurance disclosures required of home-based childcare providers** — Code § 22.1-289.050.
102. **Disclosure by an unlicensed and unregistered home-based provider that the home is not regulated by VDOE** — Code § 22.1-289.016.

C. Enforcement and appeals

103. **Background-check waiver procedures** — 8VAC20-821-220.
104. **Public notification of approved background-check waivers** — 8VAC20-821-230.
105. **Regulatory review process** — 8VAC20-821-280.
106. **Administrative sanctions and special orders** — Code §§ 22.1-289.022 through 22.1-289.025; 8VAC20-821-290.
107. **License revocation and denial** — 8VAC20-821-300.
108. **Summary suspension proceedings** — 8VAC20-821-310.
109. **Consent agreements** — 8VAC20-821-320.
110. **Appeals of refusal, nonrenewal, or revocation** — 8VAC20-821-330.

D. Child Care Subsidy Program administration

111. **Compliance with 8VAC20-790 when participating in the Child Care Subsidy Program** — 8VAC20-790-70.
112. **Execution and maintenance of a subsidy-vendor agreement** — 8VAC20-790-70.

113. **Subsidy attendance, absence, payment, billing, and electronic-reporting requirements** — 8VAC20-790-70.
114. **Additional subsidy-vendor administrative requirements for family day homes** — 8VAC20-790, Part II.
115. **Additional subsidy-vendor administrative requirements for child day centers** — 8VAC20-790, Part III.