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Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8 VAC20-780 [Repeal] 8 VAC20-781 [New Chapter]
VAC Chapter title(s)	Standards for Licensed Child Day Centers [Repeal] Standards for Licensed Child Day Centers [New Chapter]
Action title	Action to adopt new Standards for Licensed Child Day Centers
Date this document prepared	8/28/2026

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This regulatory action will repeal chapter 8VAC20-780, Standards for Licensed Child Day Centers, and establish a comprehensive new chapter, 8VAC20-781, Standards for Licensed Child Day Centers. These Standards provide criteria for licensing or evaluating the health and safety of care that children receive in licensed child day centers.

In response to early childhood legislation passed by the General Assembly in 2020, the Virginia Department of Education (VDOE) engaged in a comprehensive review of the Standards through a workgroup with key stakeholders, including multiple child day center leaders and practitioners to develop an initial preliminary draft of revised standards.

The VDOE received comments on the preliminary draft and used the feedback to develop a proposed draft which received full endorsement from the Board of Education's Early Childhood Advisory Committee (ECAC) on May 21, 2026. This final regulation reflects the input of key child care stakeholders and practitioners from across the Commonwealth, and the agency's review and consideration of public comment received at the proposed stage.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

"Board" means the State Board of Education.
"Department" means the Virginia Department of Education.
"AAP" means the American Academy of Pediatrics.
"AED" means Automatic External Defibrillator.
"ASTM" means the American Society for Testing and Materials.
"CCDF" means the Child Care and Development Fund.
"CFOC" means Caring for Our Children.
"CPR" means Cardiopulmonary Resuscitation.
"CPSC" means Consumer Product Safety Commission.
"CSC" means the Career Studies Certificate.
"ECAC" means the Early Childhood Advisory Committee.
"NAEYC" means National Association for the Education of Young Children.
"TB" means Tuberculosis.
"USDA" means the United States Department of Agriculture.
"VAC" means the Virginia Administrative Code.
"VDH" means Virginia Department of Health.
"VDOE" means the Virginia Department of Education.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On August 27, 2026, the Virginia Board of Education adopted final amendments to the Standards for Licensed Child Day Centers (8VAC20-781).

Mandate and Impetus

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.

There are no changes to the information previously reported regarding the mandate for this regulatory change or any other impetus that prompted its initiation. The basis and need for this regulatory action remain as described in the Agency Background Document for the prior stage.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The Board's overall regulatory authority is found in § [22.1-16](#) of the Code of Virginia, which states that "[t]he Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title."

The Board's regulatory authority over child day programs is found in § [22.1-289.046](#) of the Code of Virginia, which states in part that "[t]he Board shall adopt regulations for the activities, services, and facilities to be employed by persons and agencies required to be licensed under this chapter, which shall be designed to ensure that such activities, services, and facilities are conducive to the welfare of the children under the control of such persons or agencies."

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The regulatory change is needed to update and reorganize the Standards for Licensed Child Day Centers to ensure that the requirements are clear, current, and aligned with statutory expectations and nationally recognized health and safety practices. The existing chapter contains outdated provisions and structural barriers that limit consistent interpretation and application. Repealing the current chapter and promulgating a new chapter provides the Board with the most efficient means to modernize and clarify regulatory requirements.

This action is essential to protect the health, safety, and welfare of children in licensed child day centers by strengthening regulatory clarity, improving alignment with contemporary health and safety guidance, and supporting more consistent implementation by providers and regulatory staff. The goals of this regulatory change include improving the usability and organization of the Standards, ensuring that the requirements reflect evidence-based best practices, and enhancing the information available to parents and guardians as they make decisions about child care. The new chapter is intended to address gaps, ambiguities, and outdated provisions in the current regulation to better safeguard children and support high-quality program operations.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

The new chapter includes substantive revisions that modernize, clarify, and reorganize the Standards for Licensed Child Day Centers. Major changes include restructuring the regulation by subject area; clarifying terminology and requirements; eliminating duplicative or outdated provisions; and aligning the Standards with national health and safety guidelines, federal Child Care and Development Fund (CCDF)

requirements, and applicable provisions of the Code of Virginia. The new chapter incorporates updated definitions, streamlined administrative and recordkeeping requirements, revised staff qualification and training standards, enhanced building and facility safety provisions, updated supervision and ratio requirements, and strengthened expectations for daily care, parental communication, behavioral guidance, and water safety.

The regulation also introduces new requirements that reflect evidence based health and safety practices, including updated safe sleep provisions, expanded protections to prevent choking, suffocation, and injury, requirements for lead risk assessments for buildings constructed before 1978, enhanced infection control measures, strengthened medication and emergency preparedness procedures, and additional safeguards for swimming and wading activities. Several burdensome or duplicative administrative standards that were not directly tied to child health or safety have been removed. Overall, the new chapter provides clearer, more cohesive expectations and aligns regulatory requirements with current practice to better protect the health, safety, and welfare of children in licensed child day centers.

General areas addressed in the new regulation include:

- Restructuring and reformatting of content by subject matter;
- Clarifying terms and requirements;
- Removing duplicative requirements;
- Condensing sections to incorporate more clear and concise language;
- Aligning with national health and safety standards;
- Incorporating requirements based on consultation with and recommendations provided by state partners and agencies;
- Addressing current and relevant child care challenges by increasing options for program director and lead teacher qualifications;
- Clarifying and streamlining staff training requirements;
- Aligning requirements and incorporating technical amendments to ensure consistency with the Code of Virginia; and
- Updating requirements to address ever-changing national health and safety guidelines and practices.

Overview of New Requirements

Requirements were added to better align the standards with federal requirements, best practices, and building a unified early childhood care and education system. Examples include replacing "program leader" and "program director" with "lead teacher" and "director"; adding "fall height" and replacing "fall zones" and "resilient surfacing" with "use zones" and "protective surfacing"; replacing "department-approved orientation" with "preservice training"; and replacing "first responder training" with "emergency medical responder training".

New requirements have been added to better protect children, typically based on state or federal requirements or evidence-based practices. Examples include enhancing requirements around choking, handwashing, safe sleep practice, swim safety and outdoor play areas, and adding lead assessments for buildings built before 1978.

Additional requirements added to enhance the safety and well-being of children:

- Enhanced training requirements. All staff are now required to receive training in emergency preparedness and response and recognizing and reporting child abuse and neglect, not just direct care staff. Driver training requirements and additional orientation requirements for directors are added.
- Orientation for staff on policies for food service, safety, and storage; inclusion of children with special needs; behavior guidance; and emergency preparedness to include an overview of cardiopulmonary resuscitation (CPR) and first aid, and response during a pandemic.

- Lead risk assessments required for buildings built before 1978. Additional requirements for playground safety including equipment and resilient surfacing.
- Specific requirements to prohibit infants from sleeping in car seats, play equipment, restrictive clothing, or adaptive equipment without a signed statement from a physician. Revised requirements align with updated American Academy of Pediatrics (AAP) sleep guidelines.
- Requirements to address children with special needs and requirements for ensuring that children with special needs receive care and activity opportunities appropriate to needs.
- Requirements to strengthen parent involvement and require communication and notification regarding emergencies, behavior concerns, daily care of children, and transportation.
- Safeguards for children during swimming and wading activities to include requirements for active supervision and accountability. Requirement added for one lifeguard to be on duty during swimming and wading activities for every 25 children and specific training requirements for lifeguards contracted by the licensee.
- Requirements for safe handling of body fluids and handwashing.
- Requirements added for the safe storage of medication and flexibility for self-administered medication.

Overview of Removed Standards

Standards unrelated to child health and safety (i.e., activity requirements, emergency contact information for staff, certain qualification requirements, requirement for adult sized toilets); standards that were duplication of Code (i.e., operational responsibilities, background checks); standards duplicated in other regulations applicable to child day centers (i.e., references to General Procedures regulation); and standards that required unnecessarily burdensome administrative practices (i.e., reference checks, staff information, elements of parent and emergency contact information) that were irrelevant, were removed.

Requirements not directly specific to the safety of children and more related to business practice removed to provide relief of burdensome standards for child care providers and families include:

- Enrollment procedures of therapeutic child day programs and special needs child day programs (Section 8VAC20-780-100).
- Physical and mental health of staff and volunteers (Section 8VAC20-780-170).
- General qualifications (Section 8VAC20-780-180).
- Aides (Section 8VAC20-780-220).
- Independent contractors (Section 8VAC20-780-230).

Highlights of Substantive Changes

Part I of the standards includes the definition section and provisions for the purpose and applicability of the standards. Substantive changes made to this Part of the Chapter include added definitions needed to clarify requirements and the removal of duplicative language.

Part II of the standards includes requirements for the administration of licensed child day centers to include operational responsibilities, record keeping, contents of staff and children's records, attendance, and health provisions (i.e., immunizations, physicals, and tuberculosis testing). Substantive changes made to this Part of the Chapter include added requirements to comply with federal, state, or local laws; records maintenance; health records; reporting requirements, attendance; and health provisions. Removed burdensome administrative requirements.

Part III of the standards includes requirements for staff qualifications and training. Substantive changes made to this Part of the Chapter include revised qualification criteria that make it easier for individuals to qualify for essential roles. Enhanced training and orientation requirements to ensure staff are qualified and receive instruction on critical health and safety topics. Protections for children on transportation are added by requiring specific driver training. Flexibility added to allow preservice orientation completed to

count towards the 16 hours of annual training required, and to allow orientation to count towards lead teacher qualifications. Removed lengthy and unnecessarily complicated requirements.

Part IV of the standards includes requirements for the building and facilities. Standards address precursors and subsequent approval for facilities, building maintenance, hazardous substances and furnishings and equipment. Substantive changes made to this Part of the Chapter include new requirement for lead assessments prior to initial licensure for buildings built prior to 1978; added requirements for building, facilities, and equipment safety; requirements to expand protections from suffocation, choking, and strangulation. Updates protective surfacing requirements and references the most recent recommendations by the U.S. Consumer Product Safety Commission (CPSC).

Part V of the standards includes requirements for the supervision of children and staffing requirements. Substantive changes made to this Part of the Chapter include revised requirements for supervision and added flexibilities for staffing requirements. Expands ratio for school-age children to 1:20 for all school-age children; currently it is 1:18 for children school-age-eligible to age 9. Group size established for school-age children to align with federal requirements. Adds flexibility to allow school-age children to be within sight or sound supervision of staff for brief periods of time when certain conditions are met to better align with allowances of school-age children during school hours at public or private schools.

Part VI of the standards includes requirements for daily care, activities, behavioral guidance and prohibited actions, parental engagement, parent communication, parent notification, play equipment, sleeping equipment, and water safety. Substantive changes made to this Part of the Chapter include new requirements for media use with flexibility incorporated for educational materials for all age groups. Added safe sleep provisions and general safety for infants to include responsive care. Provisions for children with special needs added. Language added prohibits withholding outside time as punishment and requires positive methods of guiding children's behavior. Enhanced requirements for parent engagement, communication, and notification. Added requirements for safety and supervision during swimming activities including additional staff and lifeguard requirements.

Part VII of the standards includes requirements for preventing the spread of disease and infection control. Substantive changes made to this Part of the Chapter include revised requirements for infection control.

Part VIII of the standards includes requirements for the administration of medication and skin products including standards that address storage, records, and self-administration. Substantive changes made to this Part of the Chapter include revised medication requirements in areas of authorization and administration and reorganization of requirements for ease of reading for providers.

Part IX of the standards includes requirements for emergency preparedness and response to include first aid and emergency supplies, and planning and responding to emergencies. Substantive changes made to this Part of the Chapter include reorganized standards and enhancements to emergency procedures. Added requirement for emergency procedures to include response to a pandemic.

Part X of the standards includes requirements for nutrition, feeding, transportation, and animals. Substantive changes made to this Part of the Chapter include safety provisions during mealtimes, new requirements for infant feeding to include documentation, storage, and preparation. Revised requirements for safety around animals and pets included.

Part XI of the standards includes requirements for evening and overnight care. Substantive changes made to this Part of the Chapter include the removal of standards for separate sleeping areas.

Part XII of the standards includes requirements for therapeutic and special needs child day centers including assessments, service plans, staff qualifications, staff training, equipment, feeding, and transportation. Substantive changes made to this Part of the Chapter include the reorganization and grouping of requirements for therapeutic and special needs child day centers that were previously located throughout the standards.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary advantage of this regulatory change to the public, including families and providers, is that the revised Standards are clearer, better organized, and more closely aligned with current health and safety practices, thereby strengthening protections for children in licensed child day centers. Providers also benefit from streamlined and less duplicative requirements that support compliance and reduce administrative burden.

For the agency and the Commonwealth, the updated structure and clarity of the Standards promote more consistent interpretation, monitoring, and enforcement. The regulation also improves alignment with federal requirements and state law.

There are no known disadvantages to the public, the regulated community, the agency, or the Commonwealth associated with this regulatory action.

Requirements More Restrictive than Federal

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.

There are no changes to the information previously reported regarding whether any provisions of this regulatory action are more restrictive than applicable federal requirements. There are no requirements in the final regulation that exceed federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.

There are no changes to the information previously reported regarding any other state agencies, localities, or entities that are particularly affected by this regulatory action.

Other State Agencies Particularly Affected

There are no other state agencies that will be particularly affected by this regulatory action.

Localities Particularly Affected

There are no localities that will be particularly affected by this regulatory action.

Other Entities Particularly Affected

This regulatory action will affect licensed child day centers.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

Commenter	Comment	Agency response
Anonymous (CommentID: 239117)	8VAC20-781-10 Commenter states that the proposed definition of "experience in a supervisory capacity" is too narrow because it requires individuals to have performed supervising, orienting, training, and scheduling, even though many facilities divide these duties among different staff. Since supervisors often specialize in some areas but not others, replacing "and" with "or" would more accurately reflect the variety of legitimate supervisory roles.	The Board has reviewed the commenter's concern that the proposed definition of "experience in a supervisory capacity" was too narrow because it required individuals to have performed supervising, orienting, training, and scheduling, despite the fact that many facilities distribute these duties among different staff. The Board agrees with the suggestion to broaden the definition, and the regulation was amended to allow supervision of personnel or team members without requiring specific experience in orienting, training, or scheduling, thereby aligning the standard with the agency's intent to expand eligibility for program directors. This revision ensures the definition more accurately reflects the range of supervisory roles across child care settings while maintaining alignment with statutory authority and regulatory intent.
Jennifer Slack, Our Neighborhood Child Development Center (ONCDC) (CommentID: 239059)	8VAC20-781-10 Commenter states that the proposed definition of "experience in a supervisory capacity" is too narrow because it requires someone to have performed supervising, orienting, training, and scheduling, even though many facilities divide these duties among different staff. Since supervisors often excel in some areas but not others, replacing "and" with "or" would better reflect the variety of legitimate supervisory roles.	The Board has reviewed the commenter's concern that the proposed definition of "experience in a supervisory capacity" was too narrow because it required an individual to have performed supervising, orienting, training, and scheduling, even though many programs distribute these responsibilities among different staff. The Board agrees with the commenter's suggestion to broaden the definition, and the regulation was amended to allow supervision of personnel or team members without requiring specific experience in orienting, training, or scheduling, thereby aligning the definition with the agency's intent to expand eligibility for program directors. This revision ensures that the standard more accurately reflects the range of supervisory roles across child care settings while remaining consistent with statutory authority and regulatory intent.

Jennifer Slack, ONCDC (CommentID: 239059)	8VAC20-781-10 Commenter states that the current definition of “protective surfacing” in 8VAC20-781-10 is too vague because it simply describes impact absorbing materials without specifying any safety standards. It was recommended that the regulation be updated to reference the specific ASTM standards required for compliant playground surfacing. This would make the definition clearer and more useful for ensuring safety.	The Board has reviewed the commenter's recommendation to revise the definition of “protective surfacing” by referencing specific American Society for Testing and Materials (ASTM) standards to improve clarity and safety. The Board disagrees with the suggestion, as the protective surfacing definition was intentionally written to encompass equipment that is not considered playground equipment and to allow for impact absorbing materials beyond those required under ASTM and CPSC standards. This approach maintains necessary flexibility for a wide range of indoor and outdoor equipment while ensuring alignment with the regulatory intent and statutory safety framework.
Kaysie Carter-Coleman (CommentID: 239173)	8VAC20-781-30 Commenter states that requiring childcare programs to keep stock epinephrine creates a conflict of interest because childcare staff are not medical professionals and typically administer medication only with parent or doctor consent. Without written consent, you would call 911 rather than administer medication.	The Board has reviewed the commenter's concern that requiring childcare programs to keep stock epinephrine creates a conflict of interest because staff are not medical professionals and typically administer medication only with parental or physician authorization. The Board agrees with this concern, and all requirements relating to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related fast-track actions. This change ensures consistency with existing medication-administration standards and maintains alignment with statutory authority and the regulatory intent to support safe and appropriate childcare practices.
Susane King (Emailed comment:1) Anonymous (CommentID: 238163) Ms. Cash (CommentID: 239207) Concerned Citizens For Child Care (CommentID: 239159) Anonymous (CommentID: 239206)	8VAC20-781-30 Commenters recommend eliminating all standards related to undesignated or stock epinephrine because they conflict with other regulations, increase financial burden, raise liability, and place unsafe, inappropriate medical responsibilities on childcare staff.	The Board has reviewed the commenters' recommendation to eliminate all standards related to undesignated or stock epinephrine due to conflicts with other medication rules, financial burden, liability concerns, and the inappropriateness of placing medical responsibilities on childcare staff. The Board agrees with this recommendation, and all requirements relating to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related fast-track actions. This change ensures consistency with established medication-administration protocols and maintains alignment with statutory authority and the regulatory intent to support safe and appropriate childcare practices.
Liz Dowdy (CommentID: 238964)	8VAC20-781-30 Commenter reiterates that the requirements in 8VAC20-781-30.G for stock epinephrine should be	The Board has reviewed the commenter's reiteration that the requirements in 8VAC20-781-30 G for stock epinephrine should be removed due to cost, liability,

	removed, as they are costly, increase liability, pose safety concerns, and exceed what childcare personnel should reasonably be expected to handle.	safety concerns, and responsibilities that exceed what childcare personnel should be expected to handle. The Board agrees with this recommendation, and all requirements relating to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related fast-track actions. This revision ensures consistency with established medication-administration practices and aligns the standards with statutory authority and the regulatory intent to support safe and appropriate care within childcare programs.
Primrose School of VA Beach (CommentID: 238605) Benita Petrella, Primrose School of Midlothian Village (CommentID: 238948) Primrose School Virginia Beach South (CommentID: 238956)	8VAC20-781-30 Commenters states that guidance on how to implement stock epinephrine procedures including procurement will need to be provided for this requirement.	The Board has reviewed the commenters' statement that guidance would be needed for implementing stock-epinephrine procedures, including procurement. The Board agrees that such guidance would have been necessary; however, all requirements relating to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related fast-track actions, eliminating the need for further implementation guidance and ensuring consistency with statutory medication-administration expectations.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-30 Commenter recommends removing requirement for stock epinephrine to be locked because storage of medication is covered in 8VAC20-781-540.	The Board has reviewed the commenter's recommendation to remove the requirement that stock epinephrine be locked, noting that medication-storage rules are already addressed in 8VAC20-781-540. The Board agrees that this provision would have been unnecessary; however, all requirements relating to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related fast-track actions, thereby resolving the concern and ensuring consistency with existing medication-storage standards and statutory authority.
Anonymous (CommentID: 239059) Primrose School Virginia Beach South (CommentID: 238956) Sara Carroll, Cuddlebugs	8VAC20-781-50 Commenters state that the requirement for parents to disclose a child's previous and concurrent day care or school attendance adds unnecessary administrative burden and potential privacy concerns. Schools and centers may seek this information optionally but making it mandatory does not enhance child care and	The Board has reviewed the commenters' concern that requiring parents to disclose a child's previous and concurrent child care or school attendance creates administrative burden and privacy issues without clear benefit. The Board disagrees with the suggestion to remove this requirement because § 22.1-289.049 of the Code of Virginia explicitly requires parents to provide information on previous child day programs and schools attended as part of

(CommentID: 238959) Jennifer Slack, ONCDC (CommentID: 239059)	instead appears designed to penalize providers for non-compliance. Tracing this data later wastes staff time without clear benefit.	proof-of-identity verification, and the Board has amended the language only to clarify that this statutory requirement is collected in conjunction with proof-of-identity documentation. The Board also affirms the usefulness of information on concurrent care arrangements, as it assists programs with attendance tracking and child accountability, thereby supporting compliance with statutory safety expectations.
Jennifer Slack, ONCDC (CommentID: 238913) Anonymous (CommentID: 238918) Ben Hyde, ONCDC (CommentID: 238932) Anonymous (CommentID: 238933) Putnam Ivey (CommentID: 239240) Anonymous (CommentID: 238919) Miriam Skadron, ONCDC (CommentID: 238944)	8VAC20-781-70 Commenters support the requirement for immediate parental notification when a child is left unattended, as it ensures transparency and protects families' right to know about any supervision lapse. However, commenters oppose requiring programs to report all such incidents to the superintendent within one business day, arguing that the vague language would generate excessive paperwork over minor, harmless moments and increase staff stress. Commenters warn that this rule could pressure programs to expel children with typical behaviors, and urge limiting reporting only to cases involving local authorities while keeping the parental notification requirement.	The Board has reviewed the commenters' support for immediate parental notification of any supervision lapse and their concerns regarding the requirement to report all such incidents to the Department within one business day, including the potential for vague interpretations, excessive administrative burden, increased staff stress, and unintended consequences such as expulsions of children who hide or run. The Board agrees that the original reporting requirement was overly broad, and the language has been revised to require notification to the Department only when a child has left the facility unattended or unsupervised, while maintaining the requirement for immediate parental notification for any lapse. This revision reduces unnecessary reporting and supports consistent, reasonable implementation while preserving essential child safety protections in alignment with statutory authority and regulatory intent.
Jennifer Slack, ONCDC (CommentID: 239059) Anonymous (CommentID: 239113)	8VAC20-781-70 Commenters state that the requirement for staff to maintain an always-accurate group attendance list is seen as unnecessarily burdensome, especially for programs without sophisticated technology and argue that minor inaccuracies—often caused by parents—do not impact safety when teachers already know which children are in their care. Instead, the rule creates opportunities for unnecessary citations and diverts educators' attention away from meaningful supervision and interaction with children.	The Board has reviewed the commenters' concern that requiring staff to maintain an accurate group attendance list is unnecessarily burdensome, particularly for programs without advanced technology, and may divert staff attention from meaningful supervision. The Board disagrees with the suggestion to remove or reduce this requirement, as the purpose of maintaining a list that accurately reflects the children in each group is to ensure child accountability during emergencies and transitions by allowing staff and emergency responders to know which children are present at any given time. In response to public comment, however, the Board amended the language to clarify that the list must reflect the children in the group rather than all children in the licensee's care, ensuring clearer expectations while maintaining alignment with statutory

		health and safety protections and the regulatory intent to prevent lapses in supervision.
Clark Andrs (CommentID: 239125)	8VAC20-781-70 Commenter suggests giving centers flexibility in how they document children's arrival and departure times, since staff often have more urgent responsibilities during busy drop-off and pick-up periods. While some programs can track this digitally, many smaller centers cannot afford such technology, leaving the burden on classroom teachers. Mandating a specific method could add unnecessary cost and stress without improving care.	The Board has reviewed the commenter's suggestion that centers should have flexibility in documenting children's arrival and departure times because busy drop-off and pick-up periods can limit staff capacity, and smaller programs may lack digital systems. The Board disagrees with the suggestion to modify this requirement, as maintaining a record of arrival and departure times provides real-time accountability that allows staff to know which children are present in the building during emergencies, and an attendance list without times only confirms that a child was present at some point during the day without establishing their safety status. Accordingly, no changes were made, and the requirement remains in place to ensure consistency with statutory health and safety protections and to support accurate emergency response and legal accountability.
Benita Petrella, Primrose School of Midlothian Village (CommentID: 238948) Primrose School Virginia Beach South (CommentID: 238956) Sara Carroll, Cuddlebugs (CommentID: 238959)	8VAC20-781-80 Commenters recommend extending the validity window for TB assessments from 90 days to 180 days to reduce hiring barriers and financial burden on staff and centers. Because staff with symptoms are already required to obtain a new TB screening immediately, stressing that the existing safeguard makes the shorter window unnecessary. Expanding the time frame would also support workforce mobility within the child care field.	The Board has reviewed the commenters' recommendation to extend the validity window for tuberculosis (TB) assessments from 90 days to 180 days to reduce hiring barriers, lessen financial burden, and support workforce mobility. The Board disagrees with the suggestion to lengthen the allowable time frame, as the existing 90-day requirement was established in consultation with the Virginia Department of Health (VDH) to ensure that screening results accurately reflect an individual's current health status immediately before beginning work with children. While the Board revised the regulatory language for clarity, no substantive change was made to the time frame, and the provision requiring retesting based solely on symptoms was removed because other medical conditions such as chronic obstructive pulmonary disease, bronchiectasis, or pneumonia may present similarly and medical professionals are better positioned to determine appropriate testing. Clarification was added to specify that staff who come into contact with a known case of TB or who have been exposed to a known case of active TB and develop symptoms must be tested or screened.
Sara Carroll, Cuddlebugs (CommentID: 238959)	8VAC20-781-110 Commenter shares that lead teacher qualification training should not exclude 8VAC20-781-	The Board has reviewed the commenter's concern that the lead teacher qualification training should not exclude 8VAC20-781-130 B and C, as the required training content is

	130 B and C because the required training is identical, and the lead teacher training already includes eight more hours than the orientation training. Excluding these sections is unnecessary and creates redundancy. Keeping them aligned would ensure consistency and avoid duplicative requirements.	identical and excluding these sections creates unnecessary redundancy. The Board agrees with the suggestion and amended the requirement to allow orientation training to count toward the qualification when the 24-hour requirement is met, as orientation has been strengthened to include the topics required under 110 B.2.b. The regulation now clarifies that orientation training used to satisfy this qualification must be documented in a manner that clearly reflects the topics completed, associated training hours, and other applicable documentation requirements in this chapter.
Jaclyn Abramson (Emailed Comment: 5) Maria Tatarska (Emailed Comment: 6) Lizzy Merin (Emailed Comment: 7) Lizzie Bunnen Pack (Emailed Comment: 8) Sarah Snoots (Emailed Comment: 9) Bruce Burke (Emailed Comment: 13) Amie Williams (Emailed Comment: 14) Taryn Matthews (Emailed Comment: 16) Lenita Stewart (Emailed Comment: 17) Charlie Forbes (Emailed Comment: 18) Adam Engle (Emailed Comment: 19) Kristen Peterson (Emailed Comment: 20)	8VAC20-781-110 Commenters state that lowering staff qualifications while increasing staff-to-child ratios creates serious safety risks and sets both children and employees up for failure. Less-trained staff supervising larger groups are more likely to miss medical or behavioral warning signs, struggle with emergencies, and be unable to meet diverse needs. This approach also devalues the profession, increases turnover, and undermines program stability, prioritizing convenience over safety and quality.	The Board has reviewed the commenters' concerns that expanding eligibility for staff qualifications while increasing staff-to-child ratios could compromise safety, overwhelm staff, and undermine program quality and stability. The Board disagrees with the suggestion that the revised qualification structure reduces protections for children, as the amendments were developed to expand the eligible child care workforce while maintaining essential safeguards. Orientation requirements were strengthened to ensure that all staff receive baseline training in critical health and safety areas before assuming responsibility for children, thereby supporting safe supervision and program continuity.

Carla Falconi (Emailed Comment: 21) Katharine Grace Goodwin (Emailed Comment: 22) Kim Johnson (Emailed Comment: 24) Alicia Crichton (Emailed Comment: 4)		
Fairfax County Park Authority (CommentID: 238960)	8VAC20-781-130 Commenter is seeking clarification on whether the new orientation requirements in 8VAC20-781-130 covering children's health issues, child development, and classroom management will be created and delivered by the state or left to individual programs. This distinction is important because it affects consistency, workload, and implementation across centers.	The Board has reviewed the commenter's request for clarification regarding whether the new orientation requirements in 8VAC20-781-130 related to children's health issues, child development, and classroom management will be developed and delivered by the state or by individual programs. The Board disagrees with the suggestion that the requirements necessitate state-provided training, as facilities remain responsible for delivering the required orientation content, consistent with the structure of program-specific training obligations throughout the chapter. The Department may share resources or training materials to support implementation, but the responsibility for ensuring completion of the required orientation rests with each facility.
Concerned Citizens For Child Care (CommentID: 239159) Anonymous (CommentID: 239117)	8VAC20-781-130 Commenters request orientation training change for individuals who became directors before the department began requiring prelicensure orientation to not have to complete this training.	The Board has reviewed the commenters' request that individuals serving as directors prior to the implementation of the pre-licensure orientation requirement not be obligated to complete the new orientation training. The Board agrees with the suggestion, and the regulation was amended to clarify that current directors, as well as directors hired before the effective date of the regulation, are not required to complete the pre-licensure orientation. This clarification ensures consistent application of the requirement while avoiding unnecessary duplication for experienced staff.
Clark Andrs (CommentID: 239125) Sara Carroll, Cuddlebugs (CommentID: 238959) Benita Petrella, Primrose School of	8VAC20-781-130 Commenters request that requirement replaces the word "will ensure" with "will strive" or "will attempt to ensure" that each group of children receive care by consistent staff or team of staff members. With teacher turnover and teacher callouts, we do our	The Board has reviewed the commenters' request to modify the requirement by replacing "will ensure" with more flexible language such as "will strive" or "will attempt to ensure," noting the realities of staff turnover and callouts that can make consistent staffing difficult. The Board agrees with the suggestion, and the regulation was amended to require programs to develop a plan for providing consistent care, rather than

Midlothian Village (CommentID: 238948) Primrose School Virginia Beach South (CommentID: 238956)	best to keep consistent staffing, but flexibility is needed.	imposing an absolute standard, thereby allowing necessary flexibility while maintaining the expectation that programs take reasonable steps to support stable staffing for children.
Benita Petrella, Primrose School of Midlothian Village (CommentID: 238948) Primrose School Virginia Beach South (CommentID: 238956) Clark Andrs (CommentID: 239125) Mrs. Cash (CommentID: 239205) IACCEP (CommentID: 239177) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment 2)	8VAC20-781-140 Commenters request that the regulation continues to allow CPR and First Aid training hours to count toward annual training hours.	The Board has reviewed the commenters' request that CPR and first aid training hours continue to count toward annual training requirements. The Board agrees with the suggestion and clarified that, unless otherwise stated, training required by this chapter may be applied toward ongoing annual training hours. This amendment maintains flexibility for programs and staff while ensuring that essential health and safety training remains fully recognized within the overall professional development framework.
Primrose School Va Beach (CommentID: 238605)	8VAC20-781-160 Commenter states that it is a burden on the school to do daily health observations as soon as possible after arrival. Commenter states that drop-off time is already a very busy part of the day, and adding extra tasks during this period would place unnecessary pressure on staff.	The Board has reviewed the commenter's concern that conducting daily health observations as soon as possible after arrival places additional burden on staff during an already busy drop-off period. The Board agrees with the suggestion for additional flexibility, and the regulation was amended to specify that the daily health observation should occur as close to arrival as possible and whenever staff responsible for a child notes a change in behavior or appearance, with this clarification incorporated into the training content requirements. This revision maintains necessary health and safety practices while providing programs with practical flexibility during high-volume arrival times.
Concerned Citizens For	8VAC20-781-170	The Board has reviewed the commenters' request to eliminate the requirement relating

Child Care (CommentID: 239159) Anonymous (CommentID: 238163) Liz Dowdy (CommentID: 238964) Susane King (Emailed Comment: 1) Anonymous (CommentID: 239206)	Commenters request the elimination of the requirement regarding stock epinephrine.	to stock epinephrine. The Board agrees with the suggestion, and all provisions concerning stock epinephrine have been removed pursuant to § 22.1-289.059, consistent with public comment and in alignment with the withdrawal of related actions. This amendment ensures that the regulation reflects current statutory direction and addresses the concerns raised by stakeholders.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-210 Commenter states that electrical details are duplicative and requests to remove 8VAC20-781-210 Building maintenance B 7, 8, and 14. Commenter states that section A more than covers all of these details and child care centers receive fire inspections as well as child care licensing inspections. This is unclear without these details.	The Board has reviewed the commenter's request to remove 8VAC20-781-210 B 7, 8, and 14 on the grounds that these electrical safety provisions are duplicative of section A and unnecessary given existing fire and licensing inspections. The Board disagrees with the suggestion, as the detailed standards in subsection B provide important protections against electrical hazards and reinforce core health and safety expectations for child care environments. Accordingly, no changes were made to the regulation.
Jennifer Slack, ONCDC (CommentID: 238961) Miriam Skadron, ONCDC (CommentID: 238969) Irène Mathieu (CommentID: 238963)	8VAC20-781-230 Commenters state that explain that infants often miss outdoor time due to individual sleep schedules, and mixed-age outdoor play helps build relationships, community, and flexibility in the day. The proposed rule limiting overlap between age groups would reduce outdoor time, especially for infant, create more waiting and unnecessary transitions, and increase staff stress. Because ratios already require following the youngest child's standard, you believe mixed-age outdoor play can remain safe and beneficial without adding rigid restrictions.	The Board has reviewed the commenters' concerns that limiting overlap between age groups during outdoor play would reduce outdoor time for infants, create unnecessary transitions, and increase staff stress, despite existing ratio requirements that already rely on the youngest child's standard. The Board agrees with the suggestion that additional flexibility is appropriate, and the regulation was revised to require designated play space within the outdoor play area when the space is shared with preschool and school-age children. This clarification preserves opportunities for mixed-age outdoor play while ensuring appropriate separation and safety within shared environments.
Emily Scioscia (CommentID: 239087) Anonymous (CommentID: 239242)	8VAC20-781-230 Commenters state that forest preschools are exempt from indoor space requirement provided that (i) there are 75 square feet of outdoor space available for each child in attendance at all times. (ii) Emergency plans are in place for inclement weather. (iii) Parents are notified that the program does not	The Board has reviewed the commenters' request to exempt forest preschools from the indoor space requirements when certain outdoor space, emergency planning, and parental notification conditions are met. The Board disagrees with the suggestion, as forest preschools fall within the statutory definition of a child day center and therefore remain subject to the same indoor space requirements applicable to all licensed child

	have indoor facilities prior to enrollment.	day centers. Accordingly, no changes were made to the regulation.
Anonymous (CommentID: 239232) Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-250 Commenters explain that requiring six feet of protective surfacing around indoor climbing equipment is impractical and would limit valuable climbing opportunities that help children learn safety skills. Several proposed sections are unnecessary or redundant because existing standards already require age-appropriate equipment, proper surfacing, and adherence to manufacturers' instructions.	The Board has reviewed the commenters' request to remove the requirement for six feet of protective surfacing around indoor climbing equipment and to eliminate several related sections on the grounds that they are impractical, unnecessary, or redundant with existing standards for age-appropriate equipment and manufacturer instructions. The Board disagrees with the suggestion, as protective surfacing is necessary to reduce the risk of injury associated with indoor climbing equipment, which is not governed by ASTM or CPSC playground safety standards and presents different hazards than classroom materials. The agency further notes that distinguishing between age-appropriate playground and climbing equipment and age-appropriate classroom materials is essential because the physical risks posed by climbing equipment are significantly higher. Additionally, concerns associated with inflatable equipment, including assembly-related hazards, warrant retaining the current requirements. Accordingly, no changes were made to the regulation.
Dawn Bryant, ONCDC (CommentID: 238927) Anonymous (CommentID: 238188) Atlas Savage, ONCDC (CommentID: 238938) Anonymous (CommentID: 238939) Jennifer Slack, ONCDC (CommentID: 239059) Anonymous (CommentID: 239119) Concerned Citizens For Child Care (CommentID: 239159)	8VAC20-781-250 Commenters favor keeping the previous sandbox language, noting that large sand areas are essential for children's play and the new wording would create problems for programs.	The Board has reviewed the commenters' preference for retaining the previous sandbox language, noting that large sand areas are important to children's play and that the proposed wording could create operational challenges for programs. The Board agrees with the suggestion, and the regulation was revised to require that sandboxes without natural drainage be covered when the center is closed to prevent contamination by debris or other hazards. This amendment maintains the utility of sand play while ensuring appropriate health and safety protections.

Anonymous (CommentID: 239212) IACCEPT (CommentID: 239177) Sara Carroll, Cuddlebugs (CommentID: 238959) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2)		
Mary Turner, ONCDC (CommentID: 238937) María Vides (CommentID: 238940) Miriam Skadron, ONCDC (CommentID: 238944) Jennifer Slack, ONCDC (CommentID: 238949) Anonymous (CommentID: 238950) Leonid Petrov, (University of Virginia) (CommentID: 238951) Shannon Wagoner, ONCDC (CommentID: 238962) Jacqueline Griffin, ONCDC (CommentID: 238966) Emily Scioscia (CommentID: 239086) Anonymous (CommentID: 239175)	8VAC20-781-260 Commenters explain that applying infant-level “constant sight and sound” supervision to preschool and school-age children is developmentally inappropriate and restricts healthy exploration. Commenters recommend adopting supervision language similar to the National Association for the Education of Young Children’s standards, allowing short periods of sound-only supervision for preschoolers and brief out-of-sight moments for school-age children in safe environments. Commenters advocate removing the physical-barrier clause and extending flexible supervision rules to all school-age children, emphasizing that thoughtful flexibility supports autonomy, safety, and school readiness.	The Board has reviewed the commenters’ concerns that applying infant-level “constant sight and sound” supervision to preschool and school-age children is developmentally inappropriate and restricts healthy exploration, and that removing flexibility could hinder autonomy, school readiness, and safe independence. The Board agrees with the suggestion for greater clarity and age-appropriate flexibility, and the regulation was revised to specify that prohibited physical barriers are permanent structural barriers that prevent immediate access to children and to allow increased supervision flexibility for school-age children and older. These amendments support safe exploration while ensuring that supervision practices remain aligned with children’s developmental needs and program safety requirements.

Putnam Ivey (CommentID: 239241) Anonymous (CommentID: 239950) Sara Tansey, ONCDC (CommentID: 238947) IACCEPT (Comment ID: 239177) Irène Mathieu (CommentID: 238963) Jenn Lobo (CommentID: 239077) Concerned Citizens For Child Care (CommentID: 239159) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2)		
Jennifer Slack, ONCDC (CommentID: 238920) Robin Criscuolo DeButts, Robin's Nest Nature Playschool (CommentID: 238923) Shane Everhart, ONCDC (CommentID: 238935) María Vides (CommentID: 238943) Miriam Skadron, ONCDC (CommentID: 238945)	8VAC20-781-270 Commenters oppose allowing variances that increase teacher-to-child ratios, arguing that higher ratios reduce quality, weaken supervision, and contribute to staff overwhelm and burnout. Commenters urge removing this proposal because it would undermine the level of care and support families depend on.	The Board has reviewed the commenters' opposition to allowing variances that would permit higher staff-to-child ratios, noting concerns that increased ratios could diminish quality, weaken supervision, and contribute to staff stress and burnout. The Board disagrees with the suggestion to remove this provision, as centers may request a temporary alteration to staff-to-child ratios in accordance with Part V of 8VAC20-821 and 8VAC20-781-270, and the variance option remains discretionary rather than mandatory. The regulation was revised to clarify that a variance must be requested and approved before implementation, and facilities may choose not to seek such flexibility and instead maintain the ratios prescribed in 8VAC20-781-270.

Mrs. Cash (CommentID: 239210) Anonymous (CommentID: 239243)		
Alicia Crichton (Emailed Comment: 4) Jaclyn Abramson (Emailed Comment: 5) Maria Tatarska (Emailed Comment: 6) Lizzy Merin (Emailed Comment: 7) Lizzie Bunnen Pack (Emailed Comment: 8) Sarah Snoots (Emailed Comment: 9) Devin Cozzens (Emailed Comment: 10) Christine Kline (Emailed Comment: 11) Lauren Baker (Emailed Comment: 12) Bruce Burke (Emailed Comment: 13) Amie Williams (Emailed Comment: 14) Lucretia Messier (Emailed Comment: 15) Taryn Matthews (Emailed Comment: 16) Lenita Stewart (Emailed Comment: 17) Charlie Forbes (Emailed Comment: 18)	8VAC20-781-270 Commenters strongly oppose increasing school-age ratios from 1:18 to 1:20 and allowing temporary ratios of 1:22 because these changes significantly reduce safety, especially in mixed-age groups and for children with disabilities. Higher ratios limit a staff member's ability to manage injuries, behavioral needs, transitions, and emergencies, while also creating unsafe working conditions for employees. Commenters argue that these increases would undermine program quality, elevate risks, and place both children and staff in unsafe, unsustainable situations.	The Board has reviewed the commenters' opposition to increasing school-age staff-to-child ratios from 1:18 to 1:20 and permitting temporary ratios of 1:22, citing concerns that higher ratios could reduce safety, limit staff capacity to address injuries, behavioral needs, transitions, and emergencies, and create unsafe working conditions. The Board disagrees with the suggestion to retain the previous ratios, as current standards already distinguish between children up to age nine and those ages nine through twelve with ratios of 1:18 and 1:20, and the revised requirement consolidates these into a single ratio that better aligns with the ratios permitted in religiously exempt child day centers under § 22.1-289.031 and in public schools under § 22.1-253.13:2. The Department views the change as cost-beneficial by allowing more efficient allocation of staffing resources while preserving program flexibility, as centers may continue to maintain lower ratios consistent with their pedagogy and operational practices.

Adam Engle (Emailed Comment: 19) Kristen Peterson (Emailed Comment: 20) Carla Falconi (Emailed Comment: 21) Katharine Grace Goodwin (Emailed Comment: 22) Norman Hall (Emailed Comment: 23) Kim Johnson (Emailed Comment: 24)		
Benita Petrella, Primrose School of Midlothian Village (CommentID: 238948) Primrose School Virginia Beach South (CommentID: 238956)	8VAC20-781-270 Commenters request the Department to consider update to four-year-old ratio, which currently is same as the preschool or 3-year-old ratio. Four-year-olds are one year from kindergarten where classroom size in public school setting is often 1:30. Even in a childcare setting, ratio increases to 1:18 when a child turns 5. Suggest a return to the 1:12 for four-year-olds.	The Board has reviewed the commenters' request to adjust the staff-to-child ratio for four-year-olds, noting that the current ratio mirrors that used for three-year-olds despite four-year-olds being closer to kindergarten-age settings where larger class sizes are common. The Board disagrees with the suggestion to return to a 1:12 ratio, as the existing 1:10 requirement for four-year-olds is consistent with national health and safety benchmarks established by Caring for Our Children (CFOC) and the National Association for the Education of Young Children (NAEYC). Accordingly, no changes were made to the regulatory standard.
Concerned Citizens For Child Care (CommentID: 239159) Kaysie Carter- Coleman (CommentID: 239173) Susane King (Emailed Comment: 1) IACCEP (CommentID: 239177) Liz Dowdy (Emailed Comment: 2)	8VAC20-781-270 Commenters state that a group size of 100 children ages 5-12 is too large for 5 staff to supervise, especially during summer, on field trips to parks, etc. where children are spread out. Twenty children are too many for one staff person to safely supervise, especially during those times when children require one-on-one or at least small group care.	The Board has reviewed the commenters' concerns that a group size of 100 children ages 5–12, supervised by five staff members, is too large to ensure safe supervision during high-movement activities such as summer programming and field trips, and that ratios of 1:20 may not adequately support children who require individualized or small-group attention. The Board disagrees with the suggestion to revise the ratio or group size provisions, noting that the revised school-age ratio consolidates two existing categories—1:18 for children up to age nine and 1:20 for children ages nine through twelve—into a single ratio that aligns more closely with the ratios permitted in religiously exempt child day centers under § 22.1-289.031 and in public schools under § 22.1-253.13:2. The Department views the change as cost-beneficial because school-age children

		are commonly grouped together, and programs retain the flexibility to maintain lower ratios consistent with their pedagogical and operational needs. The agency also notes that previous regulations did not include group size limits for school-age children and establishing a limit of 100 provides a reasonable baseline while allowing flexibility for large out-of-school-time programs. Accordingly, no changes were made in response to this comment.
Leonid Petrov (CommentID: 238895) Putnam Ivey (CommentID: 238911) Jennifer Slack, ONCDC (CommentID: 238912) Miriam Skadron, ONCDC (CommentID: 238968) Anonymous (CommentID: 239234) Irène Mathieu (CommentID: 238963)	8VAC20-781-310 Commenters state that the regulation permits toddlers to view significant amounts of media without parental notification and allows unlimited “educational” screen time for children over two, limiting parents’ ability to monitor total exposure. Requiring written parental consent, specific or via a blanket agreement before any visual media is used would ensure transparency, protect children from excessive screen time, and align with best practices for early childhood development. The ban on visual media use for infants should be maintained.	The Board has reviewed the commenters’ concerns that the regulation permits excessive media exposure for toddlers and unlimited “educational” screen time for children over two without parental consent, thereby limiting families’ ability to monitor total screen use and potentially conflicting with best practices for early childhood development. The Board disagrees with the suggestion to require written parental consent or to otherwise revise the regulation, as the requirements were developed in consideration of American Academy of Pediatrics (AAP) guidelines and are designed to balance program flexibility with safeguards that limit media use and ensure children have sufficient opportunities for varied daily activities. Programs retain the discretion to adopt more stringent practices regarding media exposure and to notify families of their screen-use policies, and the prohibition on visual media for infants remains intact. Accordingly, no changes were made in response to this comment.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-310 The commenter states that the new language in 8VAC20-781-310 D is unnecessary because educational programming is already excluded from visual media hour limits under 8VAC20-781-250 C3. Since the existing provision already covers curriculum-based activities, the added exemption for school-age children makes the regulation redundant and irrelevant. Removing subsection D would restore clarity and prevent conflicting or duplicative rules.	The Board has reviewed the commenter’s statement that the new language in 8VAC20-781-310 D is unnecessary because educational programming is already excluded from visual media limits under 8VAC20-781-250 C3, making the additional exemption for school-age children duplicative. The Board disagrees with the suggestion to remove subsection D, as the allowance was included intentionally to provide clarity and reinforce that educational technology use does not count toward the two-hour daily limit. Accordingly, the regulation retains this provision to ensure consistent understanding and implementation across programs.
Susane King (Emailed Comment: 1)	8VAC20-781-320 Commenters request more restrictive requirements around	The Board has reviewed the commenters’ request for more restrictive requirements to limit infants’ exposure to hazardous air quality conditions. The Board agrees with the

Concerned Citizens For Child Care (CommentID: 239159) Liz Dowdy (Emailed Comment: 2) IACCEP (CommentID: 239177)	infant's exposure to hazardous air quality conditions.	suggestion, and the regulation was revised to provide additional clarification regarding hazardous weather conditions and unhealthy air quality, thereby strengthening protections for infants while ensuring consistent implementation across programs.
Susane King (Emailed Comment: 1) Concerned Citizens For Child Care (CommentID: 239159) Liz Dowdy (Emailed Comment: 2) IACCEP (CommentID: 239177)	8VAC20-781-340 Commenters request more restrictive requirements around toddlers, twos, and preschoolers' exposure to hazardous air quality conditions.	The Board has reviewed the commenters' request for more restrictive requirements to limit toddlers', twos', and preschoolers' exposure to hazardous air quality conditions. The Board agrees with the suggestion, and the regulation was revised to provide additional clarification regarding hazardous weather conditions and unhealthy air quality, thereby strengthening protections for young children while supporting consistent implementation across programs.
Anonymous (CommentID: 238163)	8VAC20-781-360 Commenter states that the proposed special needs requirements would be unmanageable for programs serving large numbers of children, as they would require extensive staffing and multiple individualized programs that many centers cannot afford. For some locations, more than half the children would fall under these provisions, making implementation financially and logistically unrealistic. A more feasible solution is needed to support children with special needs without overwhelming providers.	The Board has reviewed the commenter's concerns that the proposed special needs requirements would be unmanageable for programs serving large numbers of children, given the staffing demands and individualized supports that could be required, and that implementation could be financially and logistically unrealistic for centers where a significant portion of the enrollment may qualify under these provisions. The Board disagrees with the suggestion to revise the requirements, as subsection A remains unchanged and continues to encourage facilities to partner with parents and families to identify the most appropriate care for each child, while subsection B was amended only to clarify that the provision applies to children with special needs. The regulation therefore maintains its intended framework while supporting collaborative approaches to meeting children's needs.
Benita Petrella, Primrose School of Midlothian Village (CommentID: 238948) Primrose School Virginia	8VAC20-781-400 Commenters share that requiring a "future action to prevent reoccurrence" for every incident is unrealistic, as many minor childhood accidents occur even with proper supervision and have no meaningful corrective action. Adding "if applicable" would	The Board has reviewed the commenters' concerns that requiring a "future action to prevent reoccurrence" for every incident is unrealistic because many minor childhood accidents occur despite appropriate supervision and do not warrant additional corrective measures, resulting in unnecessary administrative burden. The Board agrees with the suggestion for greater clarity, and the

Beach South (CommentID: 238956) Clark Andrs (CommentID: 239125) Concerned Citizens For Child Care (CommentID: 239159) Susane King (Emailed Comment: 1) Kaysie Carter- Coleman (CommentID: 239173) IACCEP (CommentID: 239177) Liz Dowdy (Emailed Comment: 2)	acknowledge this reality and prevent unnecessary paperwork that wastes teachers' and administrators' time. Staff already address preventive guidance verbally when appropriate.	regulation was revised to require documentation of future action only when an incident or injury is related to a safety hazard, policy failure, or training need. This change aligns reporting expectations with meaningful risk-reduction efforts while reducing unnecessary paperwork for staff.
Anonymous (CommentID: 238928) Ben Hyde, ONCDC (CommentID: 238929) Atlas Savage, ONCDC (CommentID: 238936) Mary Turner, ONCDC (CommentID: 238941) Miriam Skadron, ONCDC (CommentID: 238946) Jennifer Slack (CommentID: 238971) Leonid Petrov (CommentID: 239030) Sara Tansey, ONCDC (CommentID: 238947)	8VAC20-781-420 Commenters state that requiring weekly laundering of all soft materials is impractical, as it would strain centers without laundry facilities, deteriorate materials, waste water, and ultimately reduce the variety of sensory and dramatic play items available to children. This would lead to more sterile classrooms and limit essential developmental play opportunities. Because existing regulations already require maintaining clean materials as needed, adding 8VAC20-781-420 D is unnecessary and could be removed.	The Board has reviewed the commenters' concerns that requiring weekly laundering of all soft materials is impractical for centers without laundry facilities, may deteriorate materials, waste resources, and could reduce the availability of sensory and dramatic play items essential to children's development. The Board agrees with the suggestion, and the regulation was revised to require that soft materials be washed when soiled, aligning cleanliness expectations with practical program operations while maintaining appropriate health and safety standards.

Kaysie Carter-Coleman (CommentID: 239173) Susane King (Emailed Comment: 1) IACCEP (CommentID: 239177) Liz Dowdy (Emailed Comment: 2)		
Jennifer Slack, ONCDC (CommentID: 239059)	8VAC20-781-420 Commenter states that the proposed ban on toys with cords or strings for children under two is unnecessary, as many common and developmentally appropriate infant and toddler toys safely incorporate short cords, and existing rules already require age-appropriate materials. Likewise, requiring all personal items to be individually assigned is overly broad and risks shifting licensing agents' focus to low-impact compliance tasks rather than meaningful safety measures. Both regulations lack evidence of safety concerns and appear unnecessary.	The Board has reviewed the commenter's concerns that prohibiting toys with cords or strings for children under two is unnecessary because many age-appropriate toys safely incorporate short cords, and that requiring all personal items to be individually assigned is overly broad and unsupported by specific safety evidence. The Board disagrees with the suggestion, as the requirement in 420.B.2 is intended to reduce the risks of strangulation, entanglement, and choking for young children, and the provision in 420.F ensures that each child has an individual, non-shared item that the program can readily identify. Accordingly, no changes were made.
Concerned Citizens For Child Care (CommentID: 239159) Liz Dowdy (Emailed Comment: 2)	8VAC20-781-430 Commenters request clarification on or the removal of language requiring cots to be covered with a nonabsorbent material.	The Board has reviewed the commenters' request for clarification or removal of the requirement that cots be covered with a nonabsorbent material. The Board disagrees with the suggestion, as the regulation requires that mattresses, cots, or rest mats be nonabsorbent or covered with a waterproof material to allow proper sanitization. Accordingly, no changes were made.
Fairfax County Park Authority (CommentID: 238960) Concerned Citizens For Child Care (CommentID: 239159) IACCEP (CommentID: 239177)	8VAC20-781-450 Commenters question whether the new lifeguard ratio requirement applies to splash pads and baby pools, and how centers are expected to track compliance in public facilities shared with the community. Additionally, requiring verification of lifeguard qualifications at public pools or lakes is impractical, as centers cannot obtain this information and inspectors cannot reliably enforce it. These provisions need	The Board has reviewed the commenters' concerns regarding the applicability and feasibility of the proposed lifeguard ratio requirements, including questions about whether the requirements extend to splash pads and baby pools, how programs can track compliance in public facilities shared with the community, and the practicality of verifying lifeguard qualifications at public pools or lakes. The Board agrees with the suggestion, and the language has been revised to clarify that a lifeguard is required only when children are participating in swimming or waterplay activities above two

Anonymous (CommentID: 238188)	clarification or removal to ensure they are workable.	feet, and that the lifeguard-training requirements apply only when the facility itself provides the lifeguard.
Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2)	8VAC20-781-450 Commenters state that requiring extra staff for children not participating in the water activity will create a staffing issue as all available staff are already engaged in supervising children. It will also create a financial hardship for centers to hire additional staff. Delete this requirement. Delete requirements for lifeguard competency and qualifications at a public pool or lake. Information on lifeguards at public locations are not given to centers.	The Board has reviewed the commenter's concerns that requiring additional staff to supervise children not participating in water activities will create staffing challenges and financial hardship, and that centers cannot reasonably obtain or verify lifeguard qualifications at public pools or lakes. The Board disagrees with the suggestion regarding 450.E, as the requirement ensures that staff supervising children in the water and staff supervising children out of the water can each focus fully on the children under their care; therefore, no change was made. The Board agrees with the suggestion related to lifeguard qualifications, and the language has been revised to clarify that a lifeguard is required only when children are participating in swimming or waterplay activities above two feet and that the training requirements apply only when the facility provides the lifeguard.
Anonymous (CommentID: 239112) Anonymous (CommentID: 239233)	8VAC20-781-480 Commenters state that the proposed handwashing requirements are unnecessary because existing rules already require washing when hands are dirty, making additional "before" requirements redundant and impractical. Requiring staff and children to wash their already-clean hands before water play, toileting, or diaper changes creates delays and ignores real-world urgency, especially for children who need immediate bathroom access. These changes lack a clear health benefit and would impose burdens without improving safety.	The Board has reviewed the commenters' concerns that the proposed handwashing requirements are unnecessary because existing rules already require washing when hands are dirty, and that adding multiple "before" requirements, such as before water play, toileting, or diaper changes, would be impractical, create delays, and offer limited health benefit. The Board disagrees with the suggestion regarding 480.A.5, as handwashing before and after water play when more than one child is using the water helps ensure cleanliness, reduces the spread of illness, and aligns with basic infection-control practices; therefore, no change was made. The Board agrees with the suggestion regarding 480.D.1.a and b, and the language has been revised to allow the use of gloves before diaper changing or assisting a child with toileting.
Jennifer Slack, ONCDC (CommentID: 239059) Concerned Citizens For Child Care (CommentID: 239159) Kaysie Carter-Coleman	8VAC20-781-480 Commenters request that the Department eliminate the need for staff to wash hands before helping a child use the toilet; and delete the need for staff to wash hands before helping a child use the toilet. Many times, they are only called on to help with outer clothing that a child cannot fasten, etc.	The Board has reviewed the commenters' request to eliminate the requirement for staff to wash their hands before helping a child use the toilet, noting that staff are often only assisting with outer clothing that the child cannot manage independently. The Board agrees with the suggestion, and the language has been revised to allow the use of gloves before diaper changing or assisting a child with toileting.

(CommentID: 239173) IACCEPT (CommentID: 239177) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2)		
Bethany Blalock RD (CommentID: 238952)	8VAC20-781-490 Commenter requests that the new childcare regulations expressly prohibit the practice of mandatory potty training in children under age 4 years. The commenter states that mandatory potty training before age four is inappropriate and widespread, forcing children to toilet before they are developmentally ready and creating stress for families. The commenter states that this practice can lead to medical issues such as chronic constipation and long-term bowel and bladder problems. The regulations should explicitly prohibit mandatory potty training and allow children to remain in diapers until they demonstrate readiness.	The Board has reviewed the commenter's request that the regulations expressly prohibit mandatory potty training for children under four years of age, noting concerns that requiring toileting before developmental readiness may cause stress for families and contribute to medical issues such as chronic constipation and long-term bowel and bladder problems. The Board agrees with the suggestion, and the regulatory revisions clarify only the appropriate diapering surfaces for children younger than three who are not toilet training and for older children or those who are toilet training.
Concerned Citizens For Child Care (CommentID: 239159) Anonymous (CommentID: 238163) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2) Anonymous (CommentID: 239206)	8VAC20-781-510 Commenters state that requiring undesignated or stock epinephrine does not allow center to decide if it will administer that medication. It conflicts with obtaining written parental authorization for medication before a medication is stored at the center or being labeled with the child's name or given to a child only with written authorization from the parent.	The Board has reviewed the commenters' concerns that requiring undesignated or stock epinephrine would prevent centers from determining whether they will administer such medication and would conflict with requirements for written parental authorization and child-specific labeling before medication may be stored or administered. The Board agrees with the suggestion, and all requirements related to stock epinephrine have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related actions.
Concerned Citizens For Child Care (CommentID: 239159)	8VAC20-781-520 Commenters state that requiring undesignated or stock epinephrine conflicts with this standard as no specific child is named.	The Board has reviewed the commenters' concern that requiring undesignated or stock epinephrine conflicts with the standard because no specific child is named. The Board agrees with the suggestion, and all requirements related to stock epinephrine

Anonymous (CommentID: 238163) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2) Anonymous (CommentID: 239206)		have been removed pursuant to § 22.1-289.059 in response to public comment and the withdrawal of related actions.
Concerned Citizens For Child Care (CommentID: 239159) Liz Dowdy (CommentID: 238964) (Emailed Comment: 2) Kaysie Carter- Coleman (CommentID: 239173) IACCEPT (CommentID: 239177) Susane King (Emailed Comment: 1)	8VAC20-781-570 Commenters state that requiring adult supervision for children using hand soap is impractical, as it disrupts classroom activities, forces teachers to accompany children to sinks, and contradicts the reality that capable children routinely wash their hands independently. The rule would create significant logistical burdens without evidence of actual harm from typical hand soap use in childcare settings. For these reasons, hand soap should be removed from this standard.	The Board has reviewed the commenters' concerns that requiring adult supervision for children using hand soap is impractical, disrupts classroom activities, and creates unnecessary logistical burdens given that capable children routinely wash their hands independently without evidence of harm. The Board agrees with the suggestion, and the language has been revised to remove hand soap from this standard.
Jennifer Slack, ONCDC (CommentID: 239059)	8VAC20-781-580 Commenter states that requiring a first aid manual in every kit is unnecessary because it provides no practical utility, takes up space, and is unlikely to be used by trained staff who would rely on their knowledge or faster digital resources. The lack of standardization among manuals further reduces their usefulness. This requirement creates needless burden for both providers and inspectors.	The Board has reviewed the commenter's concern that requiring a first aid manual in every kit is unnecessary because trained staff rely on their knowledge or faster digital resources, manuals take up space, and the lack of standardization limits their usefulness, creating burdens for both providers and inspectors. The Board agrees with the suggestion, and the language has been revised to remove this requirement based on the practical application of training and the need for current information during emergencies.
Atlas Savage, ONCDC (CommentID: 238934)	8VAC20-781-580 Commenter states that adding a requirement for centers to have a working AED on site can be lifesaving.	The Board has reviewed the commenter's request that the regulations require centers to have a working automatic external defibrillator (AED) on site, noting the belief that an AED could be lifesaving in the event of cardiac arrest. The Board disagrees with the suggestion, as the standards already require programs to maintain first aid supplies and ensure staff are certified in first aid and CPR,

		and the cost of AEDs and required replacement components presents a significant burden; therefore, no changes were made.
Miriam Skadron, ONCDC (CommentID: 239048) Anonymous (CommentID: 239176) Mrs. Cash (CommentID: 239211) Anonymous (CommentID: 239231) Sara Tansey, ONCDC (CommentID: 238947) Anonymous (CommentID: 239229) Jennifer Slack, ONCDC (CommentID: 239237) Anonymous (CommentID: 239238) Concerned Citizens for Child Care (CommentID: 239159) Susane King (Emailed Comment: 1) Liz Dowdy (Emailed Comment: 2)	8VAC20-781-610 Commenters state that requiring children to sit while eating or drinking is impractical, conflicts with how children naturally take water breaks, and can be harmful to those with disabilities or sensory needs who may need to stand. Standing poses no safety risk when children are stationary, and the rule even conflicts with the use of water fountains. Returning to the previous language—prohibiting eating or drinking while walking—would maintain safety while allowing necessary flexibility.	The Board has reviewed the commenters' concerns that requiring children to sit while eating or drinking is impractical, conflicts with natural water-break routines, may be inappropriate for some children with disabilities or sensory needs, and is unnecessary when children are standing still. The Board agrees with the suggestion, and the language has been revised to allow children to stand in one place while eating or drinking.
Benita Petrella Primrose School of Midlothian Village (CommentID: 238948) Concerned Citizens For Child Care (CommentID: 239159)	8VAC20-781-610 Commenters request the requirement that tables and high chair trays be cleaned and sanitized after each use be omitted since these items are required to be cleaned and sanitized before use.	The Board has reviewed the commenters' request to omit the requirement that tables and highchair trays be cleaned and sanitized after each use, noting the belief that cleaning and sanitizing before use is sufficient to maintain safety. The Board disagrees with the suggestion, as the requirement is intended to prevent cross-contamination and contact with allergens that may remain after meals or snacks; therefore, no changes were made.

Susane King (Emailed Comment: 1) Kaysie Carter- Coleman (CommentID: 239173) Liz Dowdy (Emailed Comment: 2)		
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-610 Commenter states that sections 8VAC20-781-610 D already states drinking water shall be offered at regular intervals to children.	The Board has reviewed the commenter's statement that subsection D of 8VAC20-781-610 already requires drinking water to be offered at regular intervals to children. The Board agrees with the suggestion and has amended the regulation to remove subsection E accordingly.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-610 Commenter requests the removal of 8VAC20-781-610 F, stating that USDA guidelines already prohibit the use of powdered milk except for cooking. Section 8VAC20-781-610 F 1. states that centers shall follow the most recent, age-appropriate nutritional requirements of the Child and Adult Care Food Program administered by the United States Department of Agriculture (USDA). The food standards are repetitive.	The Board has reviewed the commenter's observation that section USDA guidelines already prohibit the use of powdered milk except for cooking. The Board disagrees with the suggestion because an outside agency is responsible for USDA requirements, which could change over time. Therefore, no changes were made.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-610 Commenter requests the removal of 8VAC20-781-610 M. Food and beverages shall be prepared, served, stored, and transported in a sanitary manner because it is required by 8VAC20-781-610 I. Contaminated or spoiled food shall not be served to children. Which is sufficient for ensuring food safety.	The Board has reviewed the commenter's request to remove 8VAC20-781-610 M on the basis that 610.I already prohibits serving contaminated or spoiled food and is therefore sufficient to ensure food safety. The Board disagrees with the suggestion, as 610.M and 610.I address two distinct aspects of food safety: 610.M focuses on prevention, while 610.I addresses detection and response. Accordingly, no changes were made.
Anonymous (CommentID: 239230)	8VAC20-781-610 Commenter states that consistency across language is helpful to providers. We would like to see first and last name changed to name. Medication, topical ointments, human milk, and formula only say they need to be labeled with the child's name but food says first and last name. As a program that provides food it is actually very common that siblings share lunch box containers or even food and extra snack so labeling	The Board has reviewed the commenter's request for consistent language regarding labeling and the recommendation that food containers from home be required to bear only the child's name, noting that other items such as medication, topical ointments, human milk, and formula use this terminology. The Board agrees with the suggestion, and edits have been made to require that food containers from home be labeled with the child's name, aligning this provision with terminology used throughout the chapter.

	something in a way that clearly identifies the owner would be sufficient.	
Anonymous (CommentID: 239081)	8VAC20-781-620 Commenter advocates for each instance of breast milk to be changed to the more accurate and inclusive term human milk.	The Board has reviewed the commenter's request to replace the term "breast milk" with "human milk," noting the belief that the latter is more accurate and inclusive. The Board disagrees with the suggestion, as "breast milk" is the universally recognized term and is considered medically inclusive; therefore, no changes were made.
Atlas Savage, ONCDC (CommentID: 238930) Miriam Skadron, ONCDC (CommentID: 238967) Jennifer Slack, ONCDC (CommentID: 238986) Anonymous (CommentID: 239085) Anonymous (CommentID: 239088) Jenn Lobo (CommentID: 239077) Anonymous (CommentID: 239235)	8VAC20-781-650 Commenters express concern regarding the limited access children will have to animals and class pets in the classroom.	The Board has reviewed the commenters' concerns regarding reduced access to animals and class pets in the classroom. The Board agrees with the suggestion, and the language has been revised to prohibit physical contact with the animals listed in 650 C.
Jennifer Slack, ONCDC (CommentID: 239011)	8VAC20-781-660 Commenter states that new standards around nap mats makes the evening standard unnecessary and requests the removal of 8VAC20-781-660 A. For evening care, beds with mattresses or cots with at least one inch of dense padding shall be used by children who sleep longer than two hours and are not required to sleep in cribs. Nap mats are now required by 8VAC20-781-430 I to have one inch of cushioning.	The Board has reviewed the commenter's request to remove 8VAC20-781-660 A on the basis that new nap-mat standards requiring one inch of cushioning make the evening-care requirement unnecessary. The Board disagrees with the suggestion, as the intent of the provision is to ensure an adequate sleeping surface when a cot, bed, or mattress will be used for an extended period of time; therefore, no changes were made.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-680 Commenter states that the proposed regulations should use the term "children with disabilities,"	The Board has reviewed the commenter's recommendation that the regulations use the term "children with disabilities" and that the protections outlined in 8VAC20-781-680 be

	and protections for these children must apply to all childcare programs rather than only therapeutic child day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The assessment (8VAC20-781-680) should be added to 8VAC20-781-400 as it is relevant to all children with disabilities in care regardless of setting. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	applied to all childcare programs rather than limited to therapeutic and special needs child day centers, noting that most young children with disabilities are served in inclusive settings and that corresponding assessments should therefore be incorporated into 8VAC20-781-400. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046, and standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic child day centers and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs caring for children with special needs may adopt these standards if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated to reference therapeutic and special needs child day centers.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-690 Commenter states that the proposed regulations should use the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The individual plans for children (8VAC20-781-690) with disabilities should be added to 8VAC20-781-400 as it is relevant to all children with disabilities in care regardless of setting. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	The Board has reviewed the commenter's recommendation that the regulations use the term “children with disabilities” and that the protections and individual-plan requirements in 8VAC20-781-690 be applied to all childcare programs rather than limited to therapeutic and special needs child day centers, noting that most young children with disabilities are served in inclusive settings and that the provisions should therefore be incorporated into 8VAC20-781-400. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as stated in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated to reference therapeutic and special needs child day centers.
Jennifer Slack, ONCDC	8VAC20-781-700 Commenter states that the proposed regulations should use	The Board has reviewed the commenter's recommendation that the regulations use the term “children with disabilities,” that the

(CommentID: 238970)	the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The staff qualifications (8VAC20-781-700) seem duplicative to the training required of all teachers which require training about the specific needs of children in care. A simplified version of these standards could be added to 8VAC20-781-140. We propose adding Staff who work with children with disabilities shall receive an additional 4 hours per year of training on topics related to the care of children with special needs. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	staff-qualification requirements in 8VAC20-781-700 be applied to all childcare programs rather than only therapeutic and special needs child day centers, and that a simplified training requirement be incorporated into 8VAC20-781-140 to support inclusive environments where most children with disabilities receive care. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs caring for children with special needs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-710 Commenter states that the proposed regulations should use the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The staff training (8VAC20-781-710) section largely seems duplicative to the training required of all teachers, which requires training about the specific needs of children in care. A simplified version of these standards could	The Board has reviewed the commenter’s recommendation that the regulations use the term “children with disabilities,” that the safeguards and staff-training provisions in 8VAC20-781-710 be extended to all childcare programs rather than limited to therapeutic and special needs child day centers, and that a simplified training requirement be incorporated into 8VAC20-781-140 to support inclusive environments where most children with disabilities receive care. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as

	be added to 8VAC20-781-140. We propose adding Staff who work with children with disabilities shall receive an additional 4 hours per year of training on topics related to the care of children with special needs. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	established in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-720 Commenter states that the proposed regulations should use the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. Most children under five with disabilities are in inclusive programs so the staff-to-children ratio requirements (8VAC20-781-720) are unlikely to provide the protection intended. These ratios would not be appropriate to an inclusive environment. We see minimal harm in retaining these requirements. We recommend adding therapeutic to the title for ease of use. We are concerned that group size requirements do not apply to therapeutic programs (8VAC20-781-720 C). The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	The Board has reviewed the commenter’s recommendation that the regulations use the term “children with disabilities,” that the safeguards in 8VAC20-781-720 be applied to all childcare programs rather than limited to therapeutic and special needs child day centers, and that staff-to-children ratio requirements be revised or relocated to better reflect inclusive settings where most young children with disabilities receive care. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-720 8VAC20-781-720 C. Group size requirements in 8VAC20-781-270 A do not apply to therapeutic child	The Board has reviewed the commenter’s concern that exempting therapeutic and special needs child day centers from the group-size requirements in 8VAC20-781-270

Anonymous (CommentID: 239059)	day programs and special needs child day programs. I am not sure why this would be the case, but it seems unsafe for our children with disabilities. We would like to see this exemption removed.	A is unsafe for children with disabilities and should be removed. The Board disagrees with the suggestion, as group-size requirements do not apply to these programs because their lower staff-to-child ratios inherently allow for smaller groups, and programs may implement their own group-size limits if they determine additional measures are necessary to ensure safety. Accordingly, no changes were made.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-730 Commenter states that the proposed regulations should use the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The protection for children in wheelchairs (8VAC20-781-730) seems to hold some bias around what would be supportive and clean for children in wheelchairs. We propose When activities require children who use wheelchairs to be out of their wheelchairs, they shall be provided appropriate positioning equipment or clean and cushioned flooring.is added to 8VAC20-781-310 to protect children in wheelchairs in inclusive programs. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	The Board has reviewed the commenter’s recommendation that the regulations use the term “children with disabilities,” that the safeguards in 8VAC20-781-730 be applied to all childcare programs rather than limited to therapeutic and special needs child day centers, and that staff-to-children ratio requirements be revised or relocated to better reflect inclusive settings where most young children with disabilities receive care. The Board disagrees with the suggestion, as the term “child with special needs” is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-740 Commenter states that the proposed regulations should use the term “children with disabilities,” and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the	The Board has reviewed the commenter’s recommendation that the regulations use the term “children with disabilities,” that the safeguards in 8VAC20-781-740 be applied to all childcare programs rather than limited to therapeutic and special needs child day centers, and that staff-to-children ratio requirements be revised or relocated to better reflect inclusive settings where most young children with disabilities receive care. The

	safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. Children with special feeding needs is already a section (8VAC20-781-620) and protection in 8VAC20-781-740 could be added there stating Children with disabilities shall be fed according to the information on file pursuant to 8VAC20-781-50 B 5. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible.	Board disagrees with the suggestion, as the term "child with special needs" is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Jennifer Slack, ONCDC (CommentID: 238970)	8VAC20-781-750 Commenter states that the proposed regulations should use the term "children with disabilities," and protections for these children must apply to all childcare programs rather than only therapeutic day programs, which serve very few children. To ensure inclusive, appropriate care, the safeguards outlined in the draft standards should be extended to every setting that serves children with disabilities. The language around the transportation of non-ambulatory children (8VAC20-781-750) should apply to any program not just those exclusively serving children with disabilities; thus, this should be moved to 8VAC20-781-640. The majority of children with disabilities in early childhood are in inclusive child care environments. Please shift these protections to support all children where possible."	The Board has reviewed the commenter's recommendation that the regulations use the term "children with disabilities," that the safeguards in 8VAC20-781-750 be applied to all childcare programs rather than limited to therapeutic and special needs child day centers, and that staff-to-children ratio requirements be revised or relocated to better reflect inclusive settings where most young children with disabilities receive care. The Board disagrees with the suggestion, as the term "child with special needs" is the more inclusive terminology vetted by the Virginia Park and Recreation Society and the Department of Behavioral Health and Developmental Services pursuant to § 22.1-289.046. Standards 8VAC20-781-670 through 8VAC20-781-750 apply only to therapeutic and special needs child day centers as established in Part X and reiterated in 8VAC20-781-670. Programs may adopt these requirements if appropriate, and documentation of accommodation or care needs is already required. Terminology throughout Part X has been updated accordingly.
Atlas Savage, ONCDC (CommentID: 238931)	General Comments Commenter states that while the new standards allow for the use of stock epinephrine, they miss an opportunity to allow for the use of Narcan (Naloxone) which is a	The Board has reviewed the commenter's concern that the proposed standards should allow child day programs to stock and administer naloxone (Narcan) as a lifesaving measure in the event of opioid exposure. This suggestion would require a change to the

	lifesaving medication. Unfortunately, opiates are prevalent in many areas, and allowing this medication to be stocked in schools could be lifesaving in the unfortunate case of a child getting a controlled substances that's overdose could be reversed.	Code of Virginia, as current statutory authority does not permit child day programs to stock undesignated naloxone for children. The Board appreciates the commenter's feedback.
Anonymous (CommentID: 239080)	General Comments Commenter states that while the new standards allow for the use of stock epinephrine, they miss an opportunity to allow for the use of Narcan (Naloxone) which is a lifesaving medication. We could be forward thinking and protect children's lives by authorizing trained teachers to have and administer Naloxone in the event an individual is overdosing. A child died in a VA school which lead to the passing of the stock epinephrine, let us not wait until someone dies of an overdose. Naloxone administration was recently added to the American Heart Association CPR and First Aid training which many early childhood educators receive. Naloxone should be present on site and on field trips in the event a child ingests an opioid.	The Board has reviewed the commenter's concern that the proposed standards should allow child day programs to stock and administer naloxone (Narcan) as a lifesaving measure in the event of an opioid overdose, including during onsite care and on field trips. This suggestion would require a change to the Code of Virginia, as current statutory authority does not permit child day programs to stock undesignated naloxone for children. The Board appreciates the commenter's feedback.
Anonymous (CommentID: 238533)	General Comments Commenter states that licensing standards should be revised regarding how child care centers are treated when self-reporting incidents of staff misconduct or suspected child abuse. Currently, centers that responsibly self-report and take immediate corrective action; including terminating the employee and ensuring the safety of children; are still penalized and written up, which negatively impacts their licensing safety rating. This approach discourages transparency and could unintentionally lead to centers hesitating to report serious concerns in order to avoid penalties. Programs that act responsibly to protect children and uphold ethical standards should be	The Board has reviewed the commenter's concern that child care centers should not be penalized for responsibly self-reporting staff misconduct or suspected child abuse, noting that the current approach may discourage transparency and inadvertently reduce prompt reporting. The Board disagrees with the suggestion, as the comment does not identify a specific regulatory requirement or standard for revision, though the Board appreciates the feedback.

	recognized, not penalized, for their accountability and commitment to safety.	
Anonymous (CommentID: 238534)	General Comments Commenter requests the update of the list of required out-of-state background checks for child care employees. Many of the current links and contacts are outdated or nonfunctional, making it extremely difficult to obtain background clearances in a timely manner. This often results in delays and unnecessary violations for centers that are actively trying to comply. For example, California only allows background checks through the Department of Justice, making it nearly impossible for out-of-state employers to complete the process. These outdated requirements should be reviewed and revised to ensure the system is both practical and fair for providers.	The Board has reviewed the commenter's concern that the list of required out-of-state background checks should be updated because many links and contact points are outdated or nonfunctional, creating delays and contributing to violations for programs attempting to comply. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Mrs. Bee's Learning Academy (CommentID: 238836) (CommentID: 238655)	General Comments Commenter believes childcare regulations should focus on helping family day homes and centers operate safely, but inspections currently feel punitive rather than supportive. They argue that new centers should not be cited for ratio violations before enrollment is stable, and minor issues (like small tears in changing pads) should not count as violations. They call for regulations that protect centers from parents defaulting on payments or leaving without notice, especially when receiving subsidies. They also want inspections aimed at improving facilities, not just catching minor issues. Commenter highlights that childcare centers struggle to hire and retain staff due to low wages and extensive requirements. Being cited for ratio issues when staff quit for better-paying jobs adds unfair pressure. The commenter recommends allowing centers up to 60 days to replace departing	The Board has reviewed the commenter's concern that licensing practices feel punitive rather than supportive, particularly when centers self-report misconduct, experience staffing shortages that affect ratios, or incur violations for minor issues, and that regulations should instead provide flexibility, protect programs from payment-related challenges, and allow additional time to replace departing staff. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.

	employees. Overall, they urge for regulations that support, motivate, and strengthen childcare centers rather than penalizing them.	
Anonymous (CommentID: 238910)	General Comments Commenter urges policymakers to consider the minimalist regulatory approach proposed by Our Neighborhood Child Development Center (ONCDC). They support reducing the policing tone of childcare regulations by setting more realistic supervision expectations, decreasing mandatory reporting, and fostering a collaborative rather than punitive relationship between regulators and providers. They emphasize that any increase in regulation should be backed by evidence.	The Board has reviewed the commenter's concern supporting a minimalist regulatory approach that reduces the policing tone of childcare oversight, lowers supervision and reporting requirements, and ensures any additional regulation is evidence-based, as proposed by ONCDC. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Jennifer Slack, ONCDC (CommentID: 238924)	General Comments Commenter states that the Economic Review Form for the proposed childcare regulations is misleading because it claims programs will gain revenue from increased staff-to-child ratios—an increase that is already allowed, temporary, and used by fewer than 10% of programs. Including this projected revenue distorts the economic impact and hides the true added cost to providers. Commenter emphasizes that most programs cannot or should not raise ratios because it is impractical, space-limited, and not in children's best interest and calls for an updated, accurate economic review that does not rely on unrealistic assumptions. Commenter also outlines significant concerns with the proposed staff training regulations. While some training is necessary for health and safety, many requirements are redundant, low-quality, overly time-consuming, and disproportionately burdensome for high-quality programs. Commenter recommends revising orientation training for flexibility, eliminating preservice training if possible,	The Board has reviewed the commenter's concern that the Economic Review Form inaccurately reflects the financial impact of the proposed regulations by assuming increased revenue from higher staff-to-child ratios that are already permitted, temporary, and used by very few programs, and the commenter's recommendation that the economic analysis be revised to more accurately represent costs to providers. The commenter also expresses concerns that several proposed training requirements are redundant, overly time-consuming, or burdensome, and recommends reducing or eliminating certain trainings to avoid negative effects on staff retention and program quality. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.

	removing Daily Health Observation training, and removing the new required 3-hour VDOE update. Commenter notes that excessive training requirements can harm staff retention and create inequities between programs. Commenter supports reorganization of the standards but stress that these regulations need multiple drafts, more thoughtful design, and removal of ineffective or burdensome requirements to avoid harming childcare providers and the families they serve.	
Jackie Burke (CommentID: 238942)	General Comments Commenter believes the draft childcare standards show progress but still need additional revisions to create a supportive, high-quality, and safe early childhood framework. They offer a linked draft as a helpful next step and encourage continued refinement. As an educator, they emphasize the importance of giving children freedom to move their bodies and being supported by adults who view them as capable, helping build children's confidence.	The Board has reviewed the commenter's concern that, although the draft standards show progress, additional revisions are needed to better support high-quality early childhood environments, including fostering children's freedom of movement and ensuring adult interactions that build confidence. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Marielle Sheridan (CommentID: 238953)	General Comments Commenter, a parent with professional expertise in early childhood quality assessment, strongly supports the educators at Our Neighborhood Child Development Center (ONCDC) and urges regulators to give significant weight to their input. They argue that some proposed regulations directly harm children's well-being—such as increasing teacher-child ratios, allowing screen time for children under two, and imposing unrealistic supervision requirements—and others indirectly harm children by increasing stress and administrative burden on providers. They ask policymakers to rely on child-development science, expert organizations, and educators' voices to ensure regulations truly support children's well-being.	The Board has reviewed the commenter's concern that certain proposed regulations may directly or indirectly harm children's well-being, including objections to increased teacher-child ratios, allowing screen time for children under two, and imposing supervision and administrative requirements the commenter views as unrealistic or burdensome, and their request that policymakers rely on child-development science and practitioner expertise in refining the standards. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.

Anonymous (CommentID: 238955)	General Comments Commenter is concerned that VDOE employees, including licensing administrators and inspectors, are not free to share candid input, even though their insights would be valuable. Commenter also notes that many nonprofits and grant-funded organizations also avoid commenting to prevent appearing political, leaving large portions of the field unheard. They also worry that increasing required VDOE online trainings may unintentionally undermine local training resources provided by groups like ReadyKids, VAAEYC, and ChildCare Aware.	The Board has reviewed the commenter's concern that VDOE staff and nonprofit partners may feel unable to provide candid input on the regulatory process, and that expanding required VDOE online trainings could diminish the role of local training resources offered by organizations such as ReadyKids, VAAEYC, and ChildCare Aware. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Jennifer Slack, ONCDC (CommentID: 238965)	General Comments Commenter proposes reorganizing the standards to remove unnecessary areas and include a comprehensive list of current requirements.	The Board has reviewed the commenter's concern that the standards should be reorganized to remove unnecessary material and provide a comprehensive list of current requirements. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 239060)	General Comments Commenter notes that while religious-exempt programs operate with minimal oversight, thousands of children still thrive in those settings. In contrast, licensed programs face far higher regulatory barriers, creating an uneven system where two-thirds of providers must follow extensive rules that one-third do not. They argue this disparity suggests many licensing requirements may be unnecessary and overly burdensome. They emphasize that although some religious-exempt programs might benefit from more regulation, the current licensing standards impose excessive hurdles—so much so that it could be easier to establish a church than comply with the licensing framework and its policing-like enforcement.	The Board has reviewed the commenter's concern that differences in oversight between religious-exempt and licensed programs suggest that many licensing requirements may be unnecessary or overly burdensome, noting that licensed programs face significantly higher regulatory obligations and enforcement compared with religious-exempt programs. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 239083)	General Comments Commenters note that they “stand with ONCDC.”	The Board has reviewed the commenter's statement of support indicating that they “stand with ONCDC.” The comment does not identify a specific regulatory requirement or

Anonymous (CommentID: 239085) Anonymous (CommentID: 239214) Anonymous (CommentID: 239227) Anonymous (CommentID: 239236) Anonymous (CommentID: 239239)		standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 239085)	General Comments Commenter notes that their children have benefited from experiences like caring for the class pet. They appreciate the intention to prioritize safety and agrees with assessments of which proposed regulations help and which may create unnecessary problems.	The Board has reviewed the commenter's concern that children benefit from experiences such as caring for a class pet and their view that, while safety is important, some proposed regulations may create unnecessary challenges. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Audrey Skinner (CommentID: 239091)	General Comments Commenter supports previous positions and emphasizes the importance of class pets and developmentally appropriate supervision. They share that their two-year-old learns responsibility and confidence from having a turtle in the classroom. They argue that young children should be trusted with independence, given chances to make decisions, and supported in building lifelong skills from an early age.	The Board has reviewed the commenter's concern supporting previous positions emphasizing the value of class pets and developmentally appropriate supervision, noting that young children benefit from opportunities to build independence, responsibility, and confidence through such experiences. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 239214) Anonymous (CommentID: 238910) Anonymous (CommentID: 239085) Anonymous (CommentID: 239236)	General Comments Commenters state that Our Neighborhood Child Development Center (ONCDC) has been writing articulately about the licensing standards and their impact, and many parents and teachers have brought forth regulations that need further attention I urge you to listen to them.	The Board has reviewed the commenter's statement urging regulators to listen to the input provided by ONCDC and the many parents and teachers who have raised concerns about the licensing standards and their impact. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 239230)	General Comments Commenter says the childcare standards need more consistent and clearer language. Terms like	The Board has reviewed the commenter's concern that the childcare standards should use more consistent and clearer language, noting inconsistent use of terms such as "play

	“play equipment,” “slides,” and “climbing equipment” are used inconsistently, and references to “staff,” “the licensee,” and “the center” are mixed without clear purpose. They suggest simplifying and standardizing wording across the document, so the requirements are clearer, more actionable, and written in straightforward, present-tense language.	equipment,” “slides,” and “climbing equipment,” as well as varying references to “staff,” “the licensee,” and “the center,” and suggesting standardized, simplified wording throughout the document. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Jennifer Slack, ONCDC (CommentID: 239237)	General Comments Commenter states that children are the people regulated by the regulation and we need to listen to their voices.	The Board has reviewed the commenter’s concern that children are the individuals most directly affected by the childcare standards and that their perspectives should be considered in the regulatory process. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Jennifer Slack, ONCDC (CommentID: 238954)	General Comments Commenter asked if the training requirements related to preservice, daily health observation training, medication administration training, annual training hours, annual health and safety update training, first aid and CPR training, and driver training requirements are reflective of health and safety concerns because these trainings have an impact on cost, accessibility and quality. Stressed that completing orientation within seven days is very difficult.	The Board has reviewed the commenter’s concern regarding whether training requirements, including preservice training, daily health observation training, medication administration training, annual training hours, annual health and safety update training, first aid and CPR training, driver training, and the seven-day orientation requirement, are appropriately tied to health and safety needs given their impact on cost, accessibility, and program quality. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Anonymous (CommentID: 238163)	General Comments Commenter believes proposed regulatory changes will greatly increase administrative and financial burdens on childcare providers, despite a few positive adjustments. While reducing unnecessary paperwork and updating requirements for physical exams, TB screenings, and staff training are helpful, the new mandate for documented daily health observations adds far more work than is removed. Overall, the regulations appear politically motivated rather than supportive of providers and risk worsening an already fragile childcare industry by raising costs, increasing workload, and potentially causing	The Board has reviewed the commenter’s concern that the proposed regulations will significantly increase administrative and financial burdens on childcare providers, noting that although some updates, such as reduced paperwork and revised physical exam, TB screening, and training requirements, are helpful, the new requirement for documented daily health observations adds more workload than is removed. The commenter further states that the regulations appear politically motivated, risk worsening the stability of the childcare sector, and may lead to increased costs, workload, and potential program closures. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.

	more childcare closures—ultimately harming the families these changes claim to support.	
Primrose School Va Beach (CommentID: 238605)	General Comments Commenter says the superintendent's authority is described too vaguely, allowing decisions to be made for schools without clear criteria. Renewal licensing visits should be announced to ensure full staffing and avoid conflicts with special events, and the renewal cycle could be extended to every 3–4 years since schools are already inspected every six months. Additionally, requiring physicals only from those who do not claim a religious exemption is discriminatory; decisions about physicals should be left to individual schools rather than mandated by licensing.	The Board has reviewed the commenter's concern that the superintendent's authority is described too vaguely, that renewal licensing visits should be announced and the renewal cycle extended, and that requiring physicals only for those who do not claim a religious exemption is discriminatory and should be left to individual schools. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Sara Tansey, ONCDC (CommentID: 238947)	General Comments Commenter states that the proposed standards reflect an overly rigid, fear-based approach that risks diminishing children's independence, emotional growth, and natural competence. Educators working directly with children can already see how these changes would limit high-quality learning environments, and their on-the-ground perspectives should be taken seriously.	The Board has reviewed the commenter's concern that the proposed standards reflect an overly rigid, fear-based approach that may limit children's independence, emotional development, and natural competence, and their view that educators' on-the-ground perspectives should be given greater weight in the regulatory process. The comment does not identify a specific regulatory requirement or standard within this chapter for revision, though the Board appreciates the feedback.
Fairfax County Park Authority (CommentID: 238960)	General Comments Commenter appreciates the reorganization and expanded staff development requirements in the proposed licensing standards but seeks clarification on how these changes will affect programs operating under a licensing exemption. They value the work put into the updates and request additional guidance.	The Board has reviewed the commenter's request for clarification on how the reorganized standards and expanded staff development requirements will apply to programs operating under a licensing exemption, noting appreciation for the work that went into the proposed updates. The comment does not identify a specific regulatory requirement or standard for revision, though the Board appreciates the feedback.

Detail of Changes Made Since the Previous Stage

List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and

what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. ** Put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
8VAC20-780-10	8VAC20-781-10	No new requirements are added to this section.	**The proposed definition for “abusive head trauma” is removed. *Edit made to definition of “Experience in a supervisory capacity” to remove specific experience areas of orienting, training and scheduling.	Change: Removed definition of “abusive head trauma” because the term was only used once. Technical edits to definitions of “Child with special needs,” “Cleaned,” “Director,” “Infant,” “School-age,” “Therapeutic child day center,” “Twos,” and “Volunteer.” Definition of “Experience in a supervisory capacity” revised to broaden experience required and removes limitation on specific experience areas. Definition of “Programmatic experience” revised to provide clarity on how experience is calculated. Intent/rationale: To provide clarity on how terms are used within the regulation. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-40	8VAC20-781-30	No new requirements are added to this section.	*Removed subsection G related to undesignated epinephrine.	Change: Technical edits to update terminology. Removed subsection G. Intent/rationale: For consistency and to clarify that licensees are responsible for ensuring standards are met. In response to public comment and to handle undesignated epinephrine through a separate action to allow proper vetting with VDH. Impact: Clear, concise, and easy to read regulatory requirements.

8VAC20-780-60	8VAC20-781-50	No new requirements are added to this section.	*Moved the requirement for a child's record to contain previous child care and schools attended by the child from subdivision 8 to subdivision 9 of subsection B.	Change: Technical edits to update terminology. Edit made in subdivisions 8 and 9 of subsection B to move previous child care reference to subdivision 9 Intent/rationale: For clarification, consistency and ease of reading. Edited to make it clear that it is a requirement of the Code. Additional technical edit to align with regulatory style manual. Impact: Clear, concise, and easy to read regulatory requirements
8VAC20-780-70	8VAC20-781-60	No new requirements are added to this section.	Changed 8VAC20-770 to Part V (8VAC20-821-240 et seq.) in subsection 2 to reference the correct Administrative Code citation.	Change: Technical edits to update the Administrative Code citation based on a recent repeal and replace. Edit made to add an organization as a method of training. Intent/rationale: Edits made for clarification and to clarify that training by organizations is acceptable. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-80	8VAC20-781-70	*Requirement added to subsection E to mandate that volunteers 18 years of age or older report suspected child abuse or neglect to comply with § 63.2-1509(A) (11) of the Code.	*Subsection B amended to clarify that staff must maintain a list that accurately reflects the children present and assigned to the group or any children temporarily reassigned to the group. *Subdivision 4 of subsection C amended to limit required reporting to the Department to cases when a child has been left unattended or unsupervised rather than anytime a child's	Change: New requirement added requiring volunteers to report suspected child abuse and neglect. Technical edits to update terminology. Edits made to specify attendance kept in each group reflect children present and assigned to the group or temporarily reassigned. Edits made to clarify requirements for reports made to the Department. Intent/Rationale: Volunteer requirement added to comply with § 63.2-1509(A)(11) of the Code, and to clarify volunteer's responsibility to

			whereabouts are unknown.	report suspected child abuse and neglect. To make it clear that the requirement is for a list of children actually present within the group for emergency purposes. To clarify reporting requirements and reduce administrative burden in response to public comment. Edits made for consistency and ease of reading. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-130 8VAC20-780-140 8VAC20-780-160	8VAC20-781-80	*Requirement added to subdivision 2 of subsection D to require that staff who are identified as a known contact of a person with active tuberculosis disease obtain and submit a new TB screening.	*Subdivision 1 of subsection B edited to allow a physical exam used for public entry into a Virginia public school to be accepted regardless of how far in advance it was completed prior to enrollment.	Change: Requirements of subdivisions 2 and 3 of subsection D merged together and added requirement for a new screening for identified contacts of an individual with active tuberculosis. Adds language to allow school entrance physicals to be used for all school-age children. Technical edits. Intent Rationale: For consistency and to clarify that exclusion is only needed if exposed to active TB before developing symptoms since there are many illnesses that display symptoms compatible with TB. Revised language to allow the school entrance physical exam for school age children to align with the current regulation. Updated terminology for consistency. Impact: Reduces unnecessary exclusions related to TB. Reduces duplicate paperwork for families and providers. Clear, concise, and easy to read regulatory requirements.

8VAC20-780-190	8VAC20-781-90	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit to requirement for programmatic experience. Intent/Rationale: Technical edit for clarification. To make it clear that the programmatic experience is a minimum requirement and not a limitation. To align the language with the remaining qualifications. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-200	8VAC20-781-100	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-210	8VAC20-781-110	No new requirements are added to this section.	*Edited subdivision 2 b of subsection B to remove condition that orientation training could not be used to meet the 24 hours of training to qualify as a lead teacher.	Change: Technical edits. Added language to specify training required for lead teacher qualification. Removed prohibiting orientation training from being used towards lead teacher qualifications because the orientation requirements are now so much more robust, specifically covering these required areas. Intent/Rationale: To improve readability. To clarify that health and safety issues should be related to the care of children. Allow programs to avoid duplication of efforts, which is a time and cost savings measure. For clarity and consistency in the application of time frames throughout the chapter. To allow flexibility. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-70	8VAC20-781-120	No new requirements are	No updated new requirements.	Change: Technical edits.

8VAC20-780-180		added to this section.		Intent/Rationale: To update terminology for consistency and clarity. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-240	8VAC20-781-130	No new requirements are added to this section.	*Subsection A edited to reference the applicable preservice training. *Separated the training requirements on abusive head trauma and shaken baby syndrome from subdivision 5 of subsection B into two separate requirements and defined abusive head trauma within the requirement. *Removed the requirement for an overview of first aid and CPR in subsection C and instead expanded on topics included in emergency preparedness training.	Change: Adds language to specify that staff must complete the applicable preservice training. Reworded requirement for orientation training to include the definition of abusive head trauma since the term was only used once and could not be included in the definitions section. Merged the intent of CPR and first aid training. Edit made to clarify that existing directors do not have to take prelicensure training. Technical edits. Intent/Rationale: For consistency. To provide clarity since there are now different program- and age-specific preservice tracks. To improve readability. Clarification of the intent of staff to receive an overview of FA/CPR. Edits made for clarity and consistency in the application of time frames throughout the chapter. Updated terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-245	8VAC20-781-140	No new requirements are added to this section.	*Subsection B edited to removed reference to the annual health and safety course being three hours.	Change: Removed reference to the length of the updated health and safety training. Technical edits. Intent/Rationale: To allow flexibility should the annual health and safety training length change in the future.

				For clarification and to conform to style manual requirements. Updated terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-530	8VAC20-781-150	No new requirements are added to this section.	No updated new requirements	Change: Technical edits. Intent/Rationale: For clarification and to improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-245	8VAC20-781-160	No new requirements are added to this section.	*Edit made to remove requirement for staff to conduct a daily health observation under subsection C and move the requirement to the components of daily health observation training in subsection B.	Change: Removed requirement of conducting daily health observation and added it as a component of training. Technical edits. Intent/Rationale: Edits made in response to public comment expressing the hardship of conducting health observations upon arrival. For consistency, to update terminology, and consistency with style manual. Impact: Clear, concise, and easy to read regulatory requirements that reduce administrative burden for programs.
8VAC20-780-245	8VAC20-781-170	No new requirements are added to this section.	*Subsection C removed related to training in administration of undesignated epinephrine. *Removed requirement to receive updated training in administering undesignated epinephrine in subsection D.	Change: Removed epinephrine requirements. Technical edits. Intent/Rationale: Epinephrine requirements removed in response to public comment and the related actions being withdrawn. For consistency and to update terminology. Impact: Relevant, clear, concise, and easy to read regulatory requirements. Cost savings for providers.
N/A	8VAC20-781-180	No new requirements are added to this section.	*Subsection 6 edited to no longer require staff who have already completed	Change: Adds an exception for training completed during orientation.

			orientation to receive training on transportation policies again.	Technical edits. Intent/Rationale: Clarifies training requirements for drivers. This topic is already required under staff orientation, but some drivers may not work directly with children and may not have completed orientation. Additional edits made for clarity. Impact: Clear, concise, and easy to read regulatory requirements. Reduces duplication of efforts.
8VAC20-780-250	8VAC20-781-190	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Edits to align lead requirements with asbestos requirements. Edits to make it clear that if a new owner takes over or the program relocates, lead testing is required if the building is built before 1978. Intent/Rationale: Updated terminology for consistency. Aligned lead testing requirements with current asbestos requirements. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-260	8VAC20-781-200	No new requirements are added to this section.	*Removed requirement to provide the school's annual fire report for centers located in a public or private school.	Change: Requirement of subsection D merged into subsection C, allowing the use of the public or private school's fire inspection report rather than making it a requirement to use the school's report should a school refuse to provide it. Technical edits. Intent/Rationale: Allows greater flexibility for programs located in public or private schools. Updates terminology for consistency and clarity. Impact: To allow flexibility. Clear, concise, and easy

				to read regulatory requirements.
8VAC20-780-270 8VAC20-780-290 8VAC20-780-300	8VAC20-781-210	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology, remove duplicative requirement, and to improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-280	8VAC20-781-220	No new requirements are added to this section.	*Subsection A edited to clarify that any substances or chemicals that contain certain cautionary words are hazardous, excluding hand soap and other items listed in 8VAC20-781-570 D.	Change: Language amended to make it clear that any substances or chemicals that contain these cautionary words are considered hazardous and are stored as such. Intent/Rationale: There are now natural and homeopathic cleaning products, sanitizing agents, and pesticides that are not considered hazardous. Hand soap is allowed for children's use and is omitted from this requirement. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-310	8VAC20-781-230	No new requirements are added to this section.	*Subsection G edited to require a separate, safe, and protected space rather than a separate outdoor play area when sharing outdoor areas with preschool and school-age children.	Change: Edits made based on public comment to require a safe and protected area for infants when sharing play space with older children. Intent/Rationale: To allow for greater flexibility as long as infants and toddlers are kept safe during outdoor time when older children are present due to the different sizes, speed and developmental level of older children. Impact: Safe areas for all children to play outdoors.
8VAC20-780-320	8VAC20-781-240	No new requirements are added to this section.	No updated new requirements.	Change: Edit made to clarify that the standard number of toilets is required even if the minimum number of toilets per age group is met.

				Intent/Rationale: Edit made to clarify that minimally, two toilets and sinks are required even if a program's capacity does not require such. Impact: Adequate facilities for the care of children.
8VAC20-780-330 8VAC20-780-430	8VAC20-781-250	*Adds requirement in subsection J to require that sand areas without natural drainage be covered when the program is closed.	*Amends subsection J to specify that only sandboxes without natural drainage must be covered when the program is closed.	Change: Edits to sandbox and sand areas made. Technical edits. Intent/Rationale: To respond to significant public comment received related to the hardship of covering large sand boxes and sand areas. Edit made to clarify requirements are applicable to playground equipment and not indoor equipment. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-340	8VAC20-781-260	No new requirements are added to this section.	*Subsection F edited to require children younger than school-age to be within sight and sound supervision of staff who can provide immediate intervention and is physically present in the room or area where children are present without separation by a permanent barrier that separates or divides a room and prevents immediate access. Previously the requirement was for children less than 10 years of age. *Subsection G edited to allow school-age children to only be within sight or sound supervision when certain conditions are met to include being	Change: Language revised to clarify that prohibited physical barriers are categorized as a permanent structural barrier that separates or divides a room, preventing immediate access to children. Allowance for which children to be supervised by sound and intermittent sight extended to all school-age children. Technical edits to update terminology. Edit made to clarify that the role of a lead teacher also includes an individual who meets the qualifications of a lead teacher. Technical edit to include staff who are 18 years of age. Language added to clarify what "help" means. Intent/Rationale:

			checked on every 10 minutes. Previously the allowance was for children 10 years of age and older.	Flexibility for sight and sound supervision where appropriate added. To respond to public comment highlighting that while at school, children are able to walk down the hall unsupervised to go to the restroom, the nurse, the principal's office, etc. and when in care at a center later, elementary age children are subject to the exact same supervision requirements of infants and toddlers. Technical edits; updating terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-350	8VAC20-781-270	No new requirements are added to this section.	*Subsection C edited to reference 8VAC20-821-70 rather than Part V (8VAC20-820 et seq.) and to clarify that variances must be approved by the superintendent prior to increasing ratios.	Change: Edits made to correct incorrect chapter. Additional language is added to clarify that the variance must be approved. Technical edits to update terminology. Intent/Rationale: Edits in response to objections to ratio requirements in public comment. Edits for clarity and consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-350	8VAC20-781-280	No new requirements are added to this section.	No updated new requirements	Change: Technical edits. Intent/Rationale: To update terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-350	8VAC20-781-290	No new requirements are added in this section.	*Removed subsection E and moved it to 8VAC20-781-660.	Change: Moved requirements in subsection E to section 660 specific to evening and overnight care. Technical edits. Intent/Rationale: To update terminology for

				consistency and to ensure requirements are outlined within the applicable section. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-360	8VAC20-781-310	No new requirements are added to this section.	No updated new requirements	Change: Technical edits. Intent/Rationale: To update terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-370	8VAC20-781-320	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit to update terminology. Language amended to make it clear that outdoor play may not occur if the weather is hazardous or the air quality is unhealthy. Intent/Rationale: For consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-370	8VAC20-781-330	No new requirements are added to this section.	No updated new requirements	Change: Technical edits. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-380	8VAC20-781-340	No new requirements are added to this section.	No updated new requirements.	Change: Edits to align language with that for school-age children. Language reordered to extend flexibility for schedules. Language amended to make it clear that outdoor play may not occur if the weather is hazardous or the air quality is unhealthy. Intent/Rationale: Language revised for flexibility and clarity. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-390	8VAC20-781-350	No new requirements are added to this section.	No updated new requirements.	Change: Language amended to make it clear that outdoor play may not occur if the weather is hazardous or the air quality is unhealthy.

				Intent/Rationale: Language revised for flexibility and clarity. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-360	8VAC20-781-360	No new requirements are added to this section.	No updated new requirements.	Change: Adds language to specify requirement to change position every 30 minutes for a child with special needs. Intent/Rationale: Language added to clarify that the requirement to change place and position applies to children with special needs. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-400	8VAC20-781-370	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Removes unnecessary language regarding the applicability of the standards. Intent/Rationale: Updates terminology for consistency. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-410	8VAC20-781-380	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-420 8VAC20-780-550	8VAC20-781-390	No new requirements are added to this section.	*Subsection 15 edited to clarify that termination policies include requirements for the center and families.	Change: Language added to specify that termination policies include termination of care or services. Technical edits. Intent/Rationale: To provide clarification. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-420 8VAC20-780-490 8VAC20-780-550	8VAC20-781-400	No new requirements are added to this section.	*Subdivision 7 of subsection B edited to specify that including future action to prevent recurrence on an injury report is only required when the	Change: Edit to specify information required on incident reports when the injury is related to a hazard, policy failure, or training need. Edit to differentiate between reports made to

			incident or injury is related to a hazard, policy failure, or training need. *Subdivision 4 of subsection C was edited to clarify that parent notification is required when a child left the facility unattended or unsupervised.	the Department and the parent. Technical edit to align with the requirement in the child's record. Intent/Rationale: Edits made for clarification of requirements and in response to public comment. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-430	8VAC20-781-420	No new requirements are added to this section.	*Subsection D edited to change requirement to wash cloth items once a week or when soiled to only when soiled.	Change: Language added to differentiate toys from soft materials required to be washed when soiled. Removes the requirement for all soft materials to be washed weekly. Technical edits. Intent/Rationale: For clarification. Edits made based on public comment. Impact: Decreased burden for providers.
8VAC20-780-440	8VAC20-781-430	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-450	8VAC20-781-440	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit. Intent/Rationale: To clarify requirements for infant bedding. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-460 8VAC20-780-480	8VAC20-781-450	No new requirements are added to this section.	*Subdivision 3 of subsection H edited to clarify that requirements specific to lifeguard training apply when the lifeguards are contracted or employed by the licensee.	Change: Edit made to remove reference to wading in subsection H. Edit to clarify that lifeguard training provided by the facility must meet certain requirements. Technical edits. Intent/Rationale: Edit made because wading is defined as activity in less than 2 feet of water. Edit to lifeguard training made to clarify the requirement. Technical

				edits. updating terminology for consistency and readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-470	8VAC20-781-460	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-490	8VAC20-781-470	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-500	8VAC20-781-480	No new requirements are added to this section.	*Edit made to only require handwashing before helping a child use the toilet and before a diaper change if single use gloves are not used.	Change: Adds language to allow flexibility to wear gloves before diapering or assisting with toileting. Technical edits. Intent/Rationale: To provide clarity and allow flexibility. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-500	8VAC20-781-490	No new requirements are added to this section.	*Edit made to clarify that children younger than three who are doing toilet training do not have to be changed on a changing surface.	Change: Edits made to make it clear that children must also be in sight and sound supervision when toileting assistance is provided. Moved the requirement related to using changing surfaces from subdivision 3 of subsection D because subsection D is specific to diapering areas. Additional edit made to clarify that children younger than three who are toilet training do not have to be changed on a changing surface to promote independence, foster autonomy, and ease the transition to using the toilet. Intent/Rationale: Clarification of diapering and toileting requirements.

				Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-245 8VAC20-780-510	8VAC20-781-510	No new requirements are added to this section.	*Requirements of subsections F and H moved into subsection B. *Requirement of subsection E moved into subsection C. *Removed requirement in subsection J related to stock epinephrine.	Change: Edits to incorporate requirements from subsections E, F, and H into other subsections for readability. Removes requirement related to stock epinephrine. Removed specific type of epinephrine to make language more inclusive. Intent/Rationale: For clarification of requirements and to improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
N/A	8VAC20-781-560	No new requirements are added to this section.	No updated new requirements.	Change: Technical edit. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-520	8VAC20-781-570	No new requirements are added to this section.	*Subsection D amended to change "children five years of age and older" to "school-age children." *Subsection G amended to change "children younger than five years of age" to "preschool age children and younger."	Change: Edit to use consistent terminology. Removed hand soap from list of hazardous substances. Technical edits. Intent/Rationale: Response to public comment. Language changed to better align with age groups used within the standards. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-540	8VAC20-781-580	No new requirements are added to this section.	*Removed requirement for first aid instructional manual in subdivision 11 of subsection C.	Change: First aid instructional manual removed. Intent/Rationale: The administration of first aid should occur based on training received rather than on an instructional manual that may be outdated or not include skills covered in training.

				Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-550	8VAC20-781-590	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology, to correct referenced area, and to improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-550	8VAC20-781-600	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits to correct cross reference. Intent/Rationale: To improve readability and comply with style manual requirements. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-560	8VAC20-781-610	No new requirements are added to this section.	*Removed requirement for attention to be given to fluid needs of children and to encourage children to drink water in subsection E. *Subsection L amended to allow children to stand in one place while eating or drinking versus remaining seated.	Change: Removes duplicable requirement regarding water available to children. Amended language to clarify that children sit or stand in one place while eating or drinking. Technical edits. Intent/Rationale: To respond to public comment. To provide clarification of requirements. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-570	8VAC20-781-620	No new requirements are added to this section.	*Subdivision 1 of subsection A removed related to supervising children during snacks and meals.	Change: Removes duplicative supervision requirement. Technical edits. Intent/Rationale: Consistency and ease of reading. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-580	8VAC20-781-630	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To improve readability. Impact: Clear, concise, and easy to read regulatory requirements.
8VAC20-780-580	8VAC20-781-640	No new requirements are	*Subsection F edited to require that the	Change: Language added to ensure all seats, aisles,

		added to this section.	entire vehicle is checked rather than every seat.	floors, compartments and the full interior space of a vehicle is checked. Intent/Rationale: Edits made for clarity. Impact: To ensure children are not inadvertently left on vehicles.
8VAC20-780-600	8VAC20-781-650	No new requirements are added to this section.	*Subsection C edited to prohibit direct contact with certain animals rather than requiring that the animals are inaccessible.	Change: Removed reference to access to certain animals with the intent to provide clarity regarding classroom pets. Intent/Rationale: Amended in response to public comment. Impact: Enhances the safety of children around animals.
8VAC20-780-610	8VAC20-781-660	*Added subsection K to include requirements for centers to meet the ratios required in 8VAC20-781-290 A through D during sleep periods.	No updated new requirements.	Change: Content moved from 290.E regarding requirements for the designated rest period. Intent/Rationale: To include language specific to evening and overnight care. Impact: Clear, concise, and easy to read regulatory requirements.
N/A	8VAC20-781-670	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-110	8VAC20-781-680	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-120	8VAC20-781-690	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781.

				Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-190 8VAC20-780-210	8VAC20-781-700	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-240 8VAC20-780-245	8VAC20-781-710	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-355	8VAC20-781-720	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-430	8VAC20-781-730	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-570	8VAC20-781-740	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781. Impact: Clear information regarding the applicability of the regulation.
8VAC20-780-590	8VAC20-781-750	No new requirements are added to this section.	No updated new requirements.	Change: Technical edits. Intent/Rationale: To update terminology to refer to the specific program type licensed and subject to 8VAC20-781.

				Impact: Clear information regarding the applicability of the regulation.
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Detail of All Changes Proposed in this Regulatory Action

List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
780-10	781-10	This section includes definitions of terms used within the definition to clarify requirements.	Change: New or revised definitions: 'Cooperative preschool center,' 'Date of employment,' 'Enrolled,' 'Experience in a supervisory capacity,' 'Fall height,' 'Field trip,' 'Play yard,' and 'Sanitizing agent.' Removed: 'Adult,' 'Aide,' 'Age groups,' 'Body fluids,' 'Camp,' 'Center,' 'Communicable disease,' 'Department's representative,' 'Good character and reputation,' 'High school program completion or equivalent,' 'Independent contractor,' 'Intervention strategies,' 'lockdown,' 'Minor injury,' 'Physician,' 'Serious injury,' 'Shelter-in-place,' 'Sponsor,' and 'Staff positions.' Intent/rationale: Added to clarify terms used within the regulation. Impact: The impact is a clear and concise regulation with requirements that may be interpreted accurately by providers.
780-20	N/A	References Chapter 14.1, Article 3, Article 4 of Title 22.1, 22.1-16 and § 22.1-289.046 of the Code as the basis for legal authority.	This section has been repealed. Duplicative of Code requirements.
780-30	781-20	This section describes the purpose and applicability of the standards.	Change: Requirements in 8VAC20-780-30 retained in new chapter. Merged requirements to simplify standard. Intent/rationale: The intent is to simplify regulations for ease of reading. Impact: The impact is a clear and concise regulation with requirements

			that may be interpreted accurately by providers.
780-40	781-30	This section describes operational responsibilities. Current standards reference §§ 22.1-289.034 and 19.2-392.02 referenced in describing background check requirements. Additional Code requirements cited include §§ 22.1-289.011 and 22.1-289.027. Current standard requires list of allergies, sensitivities and dietary restrictions be kept confidential.	Change: This section retains current requirements in 8VAC20-780-40. *Added that licensee must ensure compliance with federal, state, or local laws and regulations. Added to align with other Department regulations. *Added provisions for the care of children of staff when present at the center added to licensee responsibilities. *Removed duplicative Code language pertaining to licensee's requirement to comply with other applicable regulations, inspection requirements, posting and advertising, and general operation requirements. *Added language to allow allergy list to be posted with parent permission. *Revised standard to allow flexibility in parent choice in the case of life-threatening allergies that parents want posted more visibly. *Added requirements for children present at the center and under the care of staff. Intent/rationale: The intent is to reduce ambiguity around visiting children and the center's responsibilities for them. The intent is to comply with § 22.1-289.059 of the Code of Virginia. The intent is to align with the Code of Virginia. Impact: The impact is clearer expectations, regulatory clarity, and alignment between regulation and statute.
780-50	781-40	This section describes requirements for general record keeping.	Change: Retains current requirements in 8VAC20-780-50 for general recordkeeping regarding confidentiality and accessibility. *Added requirements to keep records secure and current. Added specific language to allow electronic files. *Added requirements for the accessibility of children's records. *Added requirements for the confidentiality of files and records. Intent/rationale: The intent is to align with § 20.124.6 of the Code of Virginia.

			The intent is to ensure children's and parent's information are kept confidential. Essential records required for emergency purposes are not required to be locked but must be kept confidential. The intent is to ensure confidentiality of information and to ensure that accurate information is on file for children's protection. Impact: The impact is greater consistency between standards and statutes, clearer requirements, and enhanced child safety related to records.
780-60	781-50	This section describes requirements for children's records. Current standards require information prior to enrollment. Current requirements list allergies, intolerances to medication or other substances, chronic physical or medical conditions, special needs, dietary restrictions, pertinent behavior or developmental information and special accommodations.	Change: Retains current requirements in 8VAC20-780-60. Revised information required in children's file to allow more flexibility in providing information to the center. *Added dietary preferences. Written care plans expanded to include any health issues that are likely to result in a medical emergency. *Added language to clarify when a special care plan is required for a health issue. Exemption for obtaining health records on a child were expanded to include all children when a center assumes responsibility for the child directly from a school or transfers responsibility to the school. Added clarifying language regarding the release of children. *Removed the following requirements from children's records: information regarding parent employment; name and phone number of child's physician; addresses of emergency contacts; and the requirement to store blanket permission slips and opt-out requests. Intent/rationale: The intent is to relieve administrative burden for parent and center. Impact: The impact is streamlined processes, reduced documentation workload, improved efficiency, and reduced costs related to processing paperwork.
780-70	781-60	This section describes requirements for staff records.	Change: Retains current requirements in 8VAC20-780-70. *Removed requirement for reference checks and emergency contact person for staff.

			Intent/rationale: The intent is to reduce administrative burden. Impact: The impact is reduced documentation workload, improved efficiency, and reduced costs related to processing paperwork.
780-80	781-70	This section describes requirements for attendance records and reports. Current standards require Documentation of arrival and departure as it occurs. Current requirements require a report to the Superintendent if local authorities have been contacted Current requirement requires occurrence of communicable disease to be reported to parents.	Change: Retains current requirements in 8VAC20-780-80. *Added language to require attendance to reflect the time of children's arrival and departure. *Requires the list to reflect the children in care in each group. Revised requirement for written record of daily attendance clarifies requirements necessary for child safety. *Added a requirement for a situation in which child has left the facility unattended or unsupervised to be reported to the Department. Requirement to report an outbreak of disease to the Virginia Board of Health. *Added a requirement for a volunteer 18 years of age or older to be a mandated reporter to align with the Code. Intent/rationale: The intent is to ensure accurate information is available for emergency personnel and to ensure the safety of children. The intent is to ensure that reports are provided in incidents where children have been left unattended and therefore are not under the care and supervision of staff assigned to them at the center. Impact: Improves emergency response effectiveness and enhances child safety. Clearer reporting requirements encourage stronger accountability and supervision practices.
780-130 780-140 780-160	781-80	Section 780-130 describes immunization requirements. Section 780-140 describes physical exam requirements. Section 780-160 describes TB requirements for staff and independent contractors.	Change: Incorporates requirements from 8VAC20-780-130, 780-140, and 780-160. *References § 22.1-271.2 of the Code of Virginia for immunization requirements. Merged and simplified requirements for physical examinations. *Allows greater flexibility in the timeline for obtaining physical examinations

		Current standard under 780-130 requires that documentation of updated immunizations is provided every six months for children under two years of age and between a child's fourth and sixth birthdays. Current standard under 780-140 requires documentation of physical examination within a certain time frame prior to enrollment based on age. Current standard requires documentation of TB results be no more than 30 days old and that updated TB results are obtained every two years.	and provides 30 days to comply with documentation requirements. *Allows greater flexibility in the timeline for obtaining TB screening and results. *Removed requirements for documentation of updated immunizations and refers to the Code; requirement for repeat TB screening every two years unless medically necessary, exposure, or symptoms are present; and physical and mental health requirements for staff. Intent/rationale: The intent is to align language with § 22.1-271.2 of the Code. Allows greater flexibility and reduces administrative burden. Impact: Greater consistency between standards and statutes, reduced regulatory burden, and prevents unnecessary exclusion of staff.
780-90	N/A	This section describes written agreements between the parent and the center.	Incorporated requirements in 781-410.
780-100	N/A	This section describes enrollment procedures for therapeutic and special needs child day programs.	Section repealed.
780-110	N/A	This section describes individual assessment requirements for therapeutic child day programs.	Incorporated requirements in 781-680, new section applicable to therapeutic child day centers.
780-120	N/A	This section describes individual service, education, or treatment plans for therapeutic child day programs.	Incorporated requirements in new section, 781-690 applicable to therapeutic child day centers.
780-130	N/A	This section describes immunization requirements for children.	Incorporated requirements in 781-80.
780-140	N/A	This section describes physical exam requirements required before attending or within 30 days.	Incorporated requirements in 781-80.
780-150	N/A	This section describes requirements for the forms used to complete immunization and physical documentation.	Section repealed.
780-160	N/A	This section describes TB screening requirements at the time of employment and completed within 30 days, and repeat screenings.	Incorporated requirements in 781-80.
780-170	N/A	Health requirements for staff described in standard.	Section repealed.
780-180	N/A	This section describes general qualifications of all staff.	Section repealed.

		Requirements include character and reputation, communication, knowledge of needs of children in special needs or therapeutic child day programs.	
780-190	781-90	This section describes program director qualifications. Current standards require six to twelve months of experience in addition to education qualification. Current requirements do not have provisions that allow a qualified lead teacher to serve as a director. Current standards limit individuals 19 years of age to serving as program director for short term programs serving only school age children.	Change: Retains qualification requirements in 8VAC20-780-190. *Reduces required supervisory experience to 3 months to add greater flexibility in recruiting directors. *Allows a qualified lead teacher to meet director qualifications if applicable programmatic and supervisory requirements are met. *Allows an individual who is only 19 years old to serve as a director of any short term program. Removed lengthy and unnecessarily complicated qualification requirements. Intent/rationale: The intent is to add more options for individuals to qualify for essential roles. Impact: The impact is increased flexibility in recruitment and hiring to allow staff to fulfill roles in a timely manner.
780-200	781-100	This section describes requirements for program directors and backup directors. Current standards require director or qualified back-up director to be on-site 50% to 75% of the center's hours of operation depending on staff qualifications; and 50% of the day shift and at least two hours during the evening shift and two hours during the night shift for centers offering multiple shifts.	Change: Retains requirements for a qualified director or back-up in 8VAC20-780-200. Added provisions for oversight and management of the facility. *Requirement for licensee to designate one or more staff to assume the director's responsibilities in the director's absence. *Requirements for qualifications and orientation for individuals who can serve as director designee. Removed confusing language pertaining to requirements for the director to be on site more than 50% of the hours of operation. Intent/rationale: The intent is to ensure operational continuity in the absence of the director. Impact: Clear, concise, and easy to read regulatory requirements.
780-210	781-110	This section describes program leader qualifications.	Change: Incorporates qualification requirements in 8VAC20-780-210. Changes term program leader to lead teacher. *Added qualification option: Career Studies Certificate (CSC). CSC aligns with Virginia Community College

			System certifications in early childhood education. *Added qualification option: Virginia endorsement in a child-related field approved by the department. Endorsement aligns with offerings by agencies contracted with the department to offer such coursework. *Added flexibilities in time allotted to complete 24 hours of training for lead teacher position and allows orientation to count towards required training hours. Removed outdated references to training hours required in 2005-2007. Removed qualifications for lead teachers in therapeutic day and special needs programs because there is a new section specific to these programs. Intent/rationale: The intent is for education and qualification requirements to reflect updated options based on educational opportunities and experience and offer increased flexibility in recruitment and hiring to allow staff to fulfill roles in a timely manner. Impact: Allows programs more flexibility in hiring and promoting lead teachers and serves as a cost savings measure.
780-70 (partial) 780-180 (partial) 780-580 (partial)	781-120	Section 780-70 describes staff record requirements. Section 780-180 describes general qualification requirements. Section 780-580 describes requirements for transportation and field trips.	Change: New Section. Incorporates requirements from 8VAC20-780-70, 780-180, and 780-580. *Added requirements for driver qualifications. *Added a requirement for valid driver's license and driving record (or proof of insurance) for individuals transporting children. Intent/rationale: The intent is to provide added safety measures for children by requiring minimal qualifications related to staff transporting children. Impact: Enhanced child safety during transport.
780-220	N/A	This section states that aides should be at least 16 years of age.	Section repealed.
780-230	N/A	This section describes requirements for independent contractors and volunteers.	Section repealed.

780-240	781-130	This section describes staff orientation training requirements.	Change: Retains requirements in 8VAC20-780-240. Incorporates technical edits to clarify orientation training requirements. *Added requirements for orientation on children's health issues, child development, and classroom management. *Added that staff complete the applicable preservice training. *Added a prelicensure orientation requirement for all directors. This training will count towards annual training requirements and is offered at no charge by the Department. *Replaced orientation training in first aid and CPR with recognizing when an injury or emergency requires assistance from an individual certified in CPR or first aid to provide clarification of requirement. *Volunteers working more than eight hours per week must be trained in emergency procedures; current requirement is volunteers working more than six hours. Removed reference to documenting orientation training because this is already covered in staff records. Intent/rationale: The intent is to ensure critical health and safety training is provided to staff. Ensures that all staff caring for children, part-time and substitute staff included, receive the same basic entry-level training in the event that they must be alone with children. Ensure that staff complete the age-specific preservice track. Impact: Improved child safety and emergency readiness, more consistent quality of care, and increased staffing flexibility.
780-245	781-140	This section describes requirements for ongoing training. Current standards require training for volunteers that work more than six hours.	Change: Retains requirements from 8VAC20-780-245. Added language to clarify that all staff are required to complete annual training on emergency preparedness, child abuse and neglect, and mandated reporter requirements. *Added language to limit annual emergency preparedness training for volunteers to those working more than 8 hours per week; current requirement

			is for those working more than 6 hours per week. *Added flexibility to allow preservice orientation completed to count towards annual training. Removed list of topics from annual training requirements and added a requirement for the department's annual health and safety update course to meet CCDF requirements. Removed reference to documenting annual training because this is already covered in staff records. Removed references to medication administration training and daily health observation training because these requirements were moved to new sections. *Removed language about not allowing certain training to count toward annual hours; all training counts unless specifically prohibited. Added to reduce the administrative burden of centers by allowing flexibility in selecting annual training for staff and allowing all training except for orientation to count towards annual training. Intent/rationale: The intent is to ensure that staff receive professional development opportunities related to their job responsibilities to best ensure care to children. Impact: Improved quality of care, more consistent staff competency, and reduced regulatory burden.
780-530	781-150	This section describes first aid and CPR certification requirements. Current standards require at least two staff members trained in first aid and CPR are present on field trips.	Change: New section that incorporates requirements from 8VAC20-780-530. *Reduced the requirement to have two staff certified in first aid and CPR present on field trips to one staff. Added language to exempt medical professionals with a current license or certification from first aid certification requirements. Replaced the reference to first responder training for primitive camps with emergency medical responder training. *Removed organizations that must be used for first aid and CPR training to provide greater flexibility for centers while still ensuring staff are trained to respond to medical emergencies.

			Intent/rationale: The intent is to ensure that there are sufficient staff trained to respond in the event of a medical emergency. Impact: Reducing regulatory burden while maintaining child safety in the event of an emergency.
780-245 (partial)	781-160	This section describes ongoing training requirements. Current standards only require daily health observation training and ensuring trained staff is on duty.	Change: New section Retains requirements from 8VAC20-780-245 but incorporates technical edits to clarify requirements. *Added requirement to implement training that incorporates conducting daily health checks. Intent/rationale: The intent is to ensure that the health of children is reviewed to implement provisions for infection control and exclusion. Impact: The impact is that the center will be able to identify potential concerns about a child's health including illness or injury and may help reduce transition of illness within the center.
780-245 (partial)	781-170	This section describes ongoing training requirements.	Change: New section. Retains current requirements from 8VAC20-780-245 related to medication administration training and organizes requirements into a new section. Added references to the Virginia Drug Control Act in § 54.1-3408 for individuals qualified to administer medication. Removed requirements for VDOE related to the training curriculum. The standards are not intended to regulate the Department; regulations are applicable to licensees. Intent/rationale: The intent is to ensure that staff are appropriately trained to administer medication to children in care per parent request and in response to medical emergencies. Impact: Ensures child safety during medication administration.
N/A	781-180	N/A	Change: New section. *Added required training for drivers on safety restraints, tracking children, behavioral issues, first aid supplies, emergency procedures, and applicable transportation policies.

			Intent/rationale: The intent is to improve child safety during transportation. Impact: Enhanced child safety during transportation.
780-250	781-190	This section describes required inspections or approvals from other agencies prior to initial licensure.	Change: Retains requirements from 8VAC20-780-250. *Added a new requirement for lead assessments prior to initial licensure for buildings built prior to 1978. *Written lead risk assessment required from licensed lead risk assessor pursuant to § 54.1- 500. Intent/rationale: The intent is to add protections for children. The federal government did not ban consumer uses of lead-based paint until 1978. Impact: Enhanced child safety related to lead poisoning prevention.
780-260	781-200	This section describes required inspections or approvals from other agencies subsequent to initial licensure.	Change: Retains current requirements from 8VAC20-780-260. *Added requirements for a building inspection and local health department to be completed before the use of newly constructed, renovated, remodeled, or altered buildings or sections of buildings. *Added requirements for follow-up when lead was detected and not removed as a result of the lead assessment. *Added a requirement for primitive camps to notify the fire department and emergency medical services of any changes in camp location and hours. Intent/rationale: The intent is to ensure that space and areas used for care are safe for children. Impact: Enhanced child safety related to lead poisoning prevention and ensures safe buildings.
780-270 780-290 780-300	781-210	Section 780-270 describes requirements for building maintenance. Section 780-290 describes general physical plant requirements for centers serving children of preschool age or younger. Section 780-300 describes general physical plant requirements for centers serving	Change: Incorporates requirements from 780-270, 780-290, and 780-300. *Added requirements for the use of portable heaters and unvented fuel burning heaters. *Added requirements to address safety around electrical and extension cords; and safety around hazardous mechanical or electrical equipment. Added a requirement for carbon monoxide detectors pursuant to § 22.1-289.058. This requirement is

		school-age children.	currently in place. This is a technical addition to include the requirement in the regulation. Added a requirement for lead testing of potable water to align with § 22.1-289.057 of the Code. Adds flexibility to allow tamper resistant outlets and surge protectors. Intent/rationale: The intent is to help providers identify additional safety hazards to better protect children. Impact: The impact is increased protections for children.
780-280	781-220	This section describes requirements for hazardous substances and other harmful agents.	Change: Retains current safety requirements in 8VAC20-780-280. *Added language to prohibit the use of electronic smoking devices. *Added standards for suffocation prevention requiring empty plastic bags large enough for a child's head to fit inside, disposable gloves, and rubber or latex balloons are inaccessible to children under three years of age. *Added standards for choking prevention requiring items with a diameter of less than 1-1/4 inch and a length of less than 2-1/4 inches are inaccessible to children under three years of age. *Added standards for strangulation prevention requiring strings and cords long enough to encircle a child's neck, such as those found on window blinds or drapery cords, are inaccessible to children under six years of age. Removed restriction on some materials and substances for safe use as arts and crafts materials. Intent/rationale: The intent is to ensure that children are not exposed to known hazardous substances. Impact: The impact is increased protections for children.
780-290	N/A	This section describes general physical plant requirements for centers serving children of preschool age or younger.	Incorporated requirements into 781-210.
780-300	N/A	This section describes general physical plant requirements for centers serving school-age children.	Incorporated requirements into 781-210.
780-310	781-230	This section describes requirements for indoor space and areas available for and	Change: Retains current requirements in 8VAC20-780-310.

		used by children.	*Added a requirement for infants and toddlers to have a separate, safe, and protected space when sharing an outdoor area with preschool and school-age children. Retains current allowance for square footage requirements for current licensees and subsequent licensees in buildings approved prior to June 1, 2008. Intent/rationale: The intent is to ensure that adequate space is provided for children while allowing for flexibility for buildings previously approved. Impact: Safe areas for all children that allow for sufficient space.
780-320	781-240	This section describes requirements for restroom areas and furnishings.	Change: Retains current requirements from 8VAC20-780-320. *Added a requirement for stepstools to have a non-slip surface. *Added a requirement for a lined waste container. Removed specific exceptions for restroom requirements at primitive camps because primitive camps by definition do not have the items excepted. *Removed requirements related to staff restrooms. Intent/rationale: Added protections for children during toileting. Impact: The impact is increased protections for children with minimal cost to programs.
780-330 780-430 (partial)	781-250	Section 780-330 describes requirements for playground equipment and outdoor play spaces. Section 780-430 describes requirements for equipment and materials. Current requirements are outdated. Current requirements require a shaded area June-August.	Change: Incorporates and reorganizes current requirements from 8VAC20-780-330 and 8VAC20-780-430. *Updated protective surfacing requirements and references the most recent recommendations by the U.S. Consumer Product Safety Commission. Maintains flexibility regarding playground equipment for centers licensed prior to the effective date of the regulation. *Added requirements for multi-axis swings, maximum fall heights, and inflatable equipment. *Expanded shade requirements to May through September. *Adds requirement that sand areas without natural drainage are covered when the center is closed.

			Intent/rationale: Intent is to align with standards of the Consumer Product Safety Commission's Playground Safety Handbook. Impact: The impact is increased safety of children when using equipment and providing safe options for play.
780-340	781-260	This section describes requirements for the supervision of children. Currently, a lead teacher is required in each grouping of children except during the first and last hour of operation when a center operates more than six hours per day. Current standards require that children under 10 years of age are always within sight and sound supervision. Current standards allow children 10 and older to only be within sight or sound supervision if certain conditions are met to include being checked on every 15 minutes.	Change: Incorporates current requirements from 8VAC20-780-340 and enhances supervision requirements. *Added specific requirements for staff alertness and sight and sound supervision without the aid of electronic equipment. *Added additional times when a lead teacher is not required in each grouping of children to include short breaks, special activities, and the first and last 90 minutes of operation when a center operates more than eight hours. *Removed requirement for staff to greet each child upon arrival at the center and oversee each child's departure from the center. *Reduced the sight and sound supervision requirement from children under 10 years of age to children less than school-age. *Allows school-age children to only be within sight or sound supervision if certain conditions are met including being checked on every 10 minutes. Intent/rationale: The intent is to allow for flexibility in the requirement for lead teaches to be able to temporarily step away from the group. The intent is to ensure that children receive care and supervision appropriate for their ages within a group setting, while aligning supervision requirements of school-age children with that of public and private schools that encourages independence and autonomy. Impact: The impact is appropriate supervision while allowing flexibility where appropriate.
780-350	781-270	This section describes requirements for staff- to-children ratios and group size.	Change: Maintains current requirements in 8VAC20-780-350. *Revises ratio for school-age children to 1:20. Group size of 100 established for school-age children to comply with federal requirements. Incorporates

		Current school-age ratio is 1:18. Current requirements do not establish a group size for school-age children.	provisions for providers to request a variance for ratios, given certain criteria are met. *Removed language about ability to reassign children to different age groups for administrative purposes but not casually and repeatedly. Removed rest time ratios and balanced mixed age ratios. Requirements moved to another part of the regulation. Intent/rationale: The intent is to allow a staff-to-child ratio for school-age children that is better aligned with public and private schools as well as religiously exempt child day centers, and to allow for flexibility with ratios if a variance is requested and approved. Impact: The impact is having appropriate staff-to-child ratios to ensure the safety of children in care.
780-350 (partial)	781-280	This section describes requirements for staff- to-children ratios and group size.	Change: New section that incorporates requirements in 8VAC20-780-350. Incorporates technical edits to clarify requirement and definition of balanced-mixed age grouping. Separates requirements in 8VAC20-780-350 into a new section specifically for balanced mixed-age groupings. *Added an allowance of doubling ratios for balanced-mixed age groupings during rest periods to be consistent with other age group allowances. Intent/rationale: The intent is to have a specific section for programs with balanced mixed-age groupings for ease of reference. Ensure consistency related to rest period ratios throughout the chapter. Impact: The impact is having appropriate staff-to-child ratios to ensure the safety of children in care.
780-350 (partial)	781-290	This section describes requirements for staff- to-children ratios and group size.	Change: New section that incorporates requirements from 8VAC20-780-350. Separates requirements in 8VAC20-780-350 into a new section specifically for ratios during rest periods. Removed duplicative requirement for staff to remain within sight and sound because this is always required.

			Intent/rationale: The intent is to have a specific section for designated rest period ratios for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-580 (partial)	781-300	This section describes transportation and field trip requirements.	Change: New section that incorporates requirements from 8VAC20-780-580. Created new section for ease of use and rewrites so standards are clear related to ratios and supervision during transportation and field trips. Only technical edits were made. Intent/rationale: The intent is to have a specific section for ratios and supervision during transportation for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-355	N/A	This section describes requirements for staff- to-children ratios requirements for therapeutic and special needs program staff.	Moved to 781-720.
780-360	781-310	This section describes general requirements for daily activities.	Change: Incorporates requirements in 8VAC20-780-360. *Added requirements for media use with flexibility incorporated for educational materials for all age groups. *Added that media provided by the center is limited to age appropriate programs, is developmentally appropriate, and based on the needs of the children. Removed exception for specialty camps not needing to provide opportunities for self-chosen tasks, curiosity, and exploration. Removed references to children who cannot move without assistance and children in therapeutic day programs because these requirements were moved to new sections. Intent/rationale: The intent is for children to be provided with age and stage appropriate activities that include healthy limits for media due to adverse impacts on health that can result from overexposure. Impact: The impact is improved child health and development and more intentional activity planning.

780-370	781-320	This section describes general requirements for daily activities for infants.	Change: Incorporates requirements in 8VAC20-780-370. *Added requirement to respond promptly to infants who are crying or distraught. *Added language to prohibit car seat use for anything other than transportation. *Added language to prohibit crib use for anything other than sleep. *Added language to prohibit confinement in equipment for more than 30 minutes except when eating and requires a period of 30 minutes between confinements. *Revised language for tummy time removes focus on number of minutes and instead requires two attempts daily at supervised tummy time. *Removed allowances for infants to sleep in play spaces including cribs, infant seats, play yards, exercise chairs or saucers, infant swings, high chairs, and floor space. Intent/rationale: The intent is to ensure the safety of infants. Impact: Increased safety of infants in care.
780-370 (partial)	781-330	This section describes general requirements for daily activities for infants.	Change: Incorporates requirements in 8VAC20-780-370. *Added language to prohibit the use of adaptive equipment unless a signed physician's statement is on file. *Added language to require staff to move infants to crib and additional requirements for checking sleeping infants. *Added language to prohibit clothing that could restrict breathing or cover the infant's head or face. Removed requirements related to positioning of infants in a side-sleeping position. Intent/rationale: The intent is to ensure the safety of resting or sleeping infants. Impact: Increased safety of infants in care.
780-380	781-340	This section describes requirements for daily activities for toddlers and preschoolers.	Change: Retains current requirements in 8VAC20-780-380. Separates "twos" from "preschool" to align with definitions, ratios, and other age-related standards. *Added additional requirements

			for checking sleeping toddlers. *Added language to prohibit confinement in equipment for more than 30 minutes for toddlers, twos, and preschoolers, except when eating, and requires a period of one hour between confinements. Removed requirements for facilitation of language development. Intent/rationale: The intent is to ensure the safety of toddlers while sleeping and to provide safety when equipment is used appropriately for children to prevent children from being confined in equipment for extended time periods. Removing requirements not related to health or safety since VQB5 is now used for measurement of teacher/ child interactions. Impact: Increased safety of toddlers, twos, and preschool children in care.
780-390	781-350	This section describes requirements for daily activities for school-age children.	Change: Incorporates requirements in 8VAC20-780-390. *Added a requirement for a schedule to be available for school-age children. Intent/rationale: The intent is to ensure that school-age children also receive structured activities. Language is aligned with requirements for toddlers, twos, and preschool children. Impact: Adequate structured activities for school-age children.
780-360 (partial)	781-360	This section describes general requirements for daily activities.	Change: New section that incorporates requirements in 8VAC20-780-360. *Requires the center to work with the parent and the staff assigned to the child to develop a plan for care and activity opportunities appropriate to the child's individual needs. Intent/rationale: To ensure that the needs of children with special needs are met and to allow for more parental engagement. Impact: The impact is enhanced care and protection of children with special needs and allows parents to have more involvement in determining what care and services are best for their child.
780-400	781-370	This section describes requirements for behavioral guidance.	Change: Incorporates requirements in 8VAC20-780-400.

			*Added a requirement for the center to use positive methods of guiding behavior. Intent/rationale: The intent is protection of children. Impact: The impact is increased protections for children.
780-410	781-380	This section describes prohibited actions.	Change: Incorporates requirements in 8VAC20-780-410. *Added language to prohibit withholding of outside time as punishment. Intent/rationale: The intent is protection for children and to provide clarity for programs related to prohibited actions. Impact: The impact is increased protections for children.
780-420 780-550 (partial)	781-390	Section 780-420 describes provisions for parental involvement. Section 780-550 describes requirements for emergency preparedness.	Change: Incorporates requirements in 8VAC20-780-420 and 780-550. Added specific guidance for communication regarding the center's emergency procedures. *Added requirements to notify parents of the center's relocation site, method of communication during an emergency, and procedures for reunification. *Clarifies that termination policies include requirements for the center and families. Intent/rationale: The intent is to ensure that families are informed of services related to their children to allow parents to make informed decisions related to the care setting. Impact: The impact is greater transparency and accountability, improved communication with families, and enhanced parent decision-making.
780-420 (partial) 780-490 (partial) 780-550 (partial)	781-400	Section 780-420 describes provisions for parental involvement. Section 780-490 describes requirements for preventing the spread of disease. Section 780-550 describes requirements for emergency preparedness.	Change: New section that incorporates requirements in 8VAC20-780-420, 780-490, and 780-550. *Added requirements for parent communication, notification regarding persistent behavior problems, change in emergency plans, and notification of whereabouts after an emergency evacuation. Removed requirement for center to provide feedback if asked by parents. Intent/rationale: The intent is to ensure that families are informed of care provided to their children.

			Impact: The impact is greater transparency and accountability, improved communication with families, and enhanced parent decision-making.
780-90	781-410	This section describes requirements for parental agreements.	Change: Incorporates requirements in 8VAC20-780-90. *Added a standard for required authorization for the center to transport the child in the event of an emergency including needing medical care or facility relocation. Intent/rationale: The intent is to ensure that proper permissions have been secured in the event children need to be transported in an emergency. Impact: The impact is clear legal protection for providers and improved emergency readiness.
780-430	781-420	This section describes requirements for equipment and materials.	Change: Incorporates requirements in 8VAC20-780-430. *Added requirements for cleaning and sanitizing washable toys and materials. *Added a requirement to clean and sanitize water play tables or tubs daily if used. Removed exception related to using public or private school equipment. Permitted unless specifically prohibited. Intent/rationale: The intent is to reduce the spread of infectious diseases. Language revised to prevent unnecessary washing of unused items. Impact: The impact is increased protections for children.
780-440	781-430	This section describes requirements for cribs, cots, rest mats, and beds.	Change: Incorporates requirements in 8VAC20-780-440. *Added provisions for sleep to include the prohibition of cribs as a play space and a requirement for one inch of cushioning for rest mats required. *Added language to prohibit cribs with mesh sides. *Removes requirements for crib design and recall. These are covered in other standards requiring equipment that has not been recalled. Intent/rationale: The intent is to ensure the safety of children. Impact: The impact is increased protections for children.
780-450	781-440	This section described requirements for the use of linens.	Change: Incorporates requirements in 8VAC20-780-450.

			*Removed requirement for crib sheets to be washed daily. *Removed specific temperature requirements for linens when washed. Intent/rationale: To clarify requirements for linens. Impact: Clear, concise, and easy to read regulatory requirements that reduces the burden on programs.
780-460 780-480	781-450	Section 780-460 describes requirements for staff and supervision during swimming and wading activities. Section 780-480 describes requirements for swimming and wading to include emergency procedures, parent permission, and accounting for children in the water.	Change: Incorporates requirements from 780-460 and 780-480. *Added requirements for safety and supervision during swimming activities. *Added a requirement for designated staff to maintain active supervision when any child is in or around water. *Added a requirement for separate staff to supervise children in water and non-participating children. *Added language to require a system for accounting at all times for all children in the aquatic area. *Added a requirement for one lifeguard for every 25 children in the water on duty and supervising the children. Intent/rationale: The intent is to ensure the safety of children participating in swimming and wading activities. Impact: Increased child safety during swimming and wading.
780-470	781-460	This section describes requirements for pools and equipment.	Change: Incorporates current requirements in 8VAC20-780-470. *Added language to allow children who are not toilet trained to use portable wading pools if there is an integrated filtration system. Intent/rationale: The intent is to ensure the safety of the equipment used when children are participating in swimming and wading activities. Impact: More flexibility for providers while still preventing the spread of communicable disease.
780-490	781-470	This section describes requirements for preventing the spread of disease.	Change: Incorporates requirements in 8VAC20-780-490. Revised exclusion criteria; changes fever leading to exclusion from 101°F to 100.4°F. *Added language to require contaminated clothing to be stored in leakproof storage bag. Intent/rationale: Enhance safety precautions to prevent the spread of disease.

			Impact: The impact is increased protections for children.
780-500 (partial)	781-480	This section described requirements for hand washing and toileting procedures.	Change: Incorporates requirements in 8VAC20-780-500. Separates handwashing from toileting procedures for ease of use. *Added requirements for handwashing for children and adults: after coming in from outdoors; after handling or caring for animals; before and after playing with water used by more than one child; when hands are visibly dirty; before and after administering medication or topical skin products; before and after eating; after handling garbage or cleaning materials; and when entering the facility before working with children. Intent/rationale: The intent is to ensure infection control and align with national standards and guidance from Caring for Our Children. Impact: Increased child safety related to preventing the spread of disease.
780-500 (partial)	781-490	This section described requirements for hand washing and toileting procedures.	Change: New section specific to diapering and toileting that incorporates requirements in 8VAC20-780-500. Separates handwashing from toileting procedures for ease of use. *Added language to prohibit leaving a child unattended on the diapering surface. *Added language to require staff to check diapers and disposable training pants at least once every two hours. Added flexibility to change toilet-training children in the bathroom and not on a diapering surface. *Added language to require storage system for soiled diapers to be cleaned and sanitized daily. *Removed allowance to permit the use of changing paper on diapering surface between children without cleaning or sanitizing changing table in between changes. Intent/rationale: The intent is to ensure infection control and align with national standards and guidance from Caring for Our Children. Impact: Increased child safety related to preventing the spread of disease.

780-500 (partial)	781-500	This section described requirements for hand washing and toileting procedures.	Change: New section for toilet training incorporates requirements in 8VAC20-780-500. Separates toilet training into new section and makes technical edits only. Intent/rational: The intent is to create a specific section focused on toilet training for ease of use. Impact: Clear, concise, and easy to read regulatory requirements.
780-245 (partial) 780-510 (partial)	781-510	Section 780-245 describes annual training requirements to include medication training. Section 780-510 describes requirements for the administration of medication.	Change: Incorporates requirements in 8VAC20-780-245 and 780-510. *Added a requirement for written parental authorization for medication required prior to a medication being accepted, maintained, or stored at the center. *Added language to require medications accepted, maintained, or stored at the center to be labeled with the child's name, and not kept or used beyond the date of expiration. *Added language to allow additional time for parents to retrieve child medication after expiration of authorization. Intent/rationale: Enhance protections related to maintenance and administration of medication. Impact: Increased child safety related to medication administration.
780-245 (partial) 780-510 (partial)	781-520	Section 780-245 describes annual training requirements to include medication training. Section 780-510 describes requirements for the administration of medication.	Change: New section that incorporates requirements in 8VAC20-780-245 and 780-510. Separates prescription medication into new section. Technical edits only; no substantive edits. Intent/rationale: New section added to separate requirements for prescription medications for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-245 (partial) 780-510 (partial)	781-530	Section 780-245 describes annual training requirements to include medication training. Section 780-510 describes requirements for the administration of medication.	Change: New section that incorporates requirements in 8VAC20-780-245 and 780-510. Separates non-prescription medication into new section. Technical edits only; no substantive edits. Intent/rationale: New section added to separate requirements for non-prescription medications for ease of reference.

			Impact: Clear, concise, and easy to read regulatory requirements.
780-510 (partial)	781-540	This section describes requirements for the administration of medication.	Change: New section that incorporates requirements in 8VAC20-780-510. Separates storage of medication into new section. Technical edits only; no substantive edits. Intent/rationale: New section added to separate requirements for storage of medication for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-510 (partial)	781-550	This section describes requirements for the administration of medication.	Change: New section that incorporates requirements in 8VAC20-780-510. Separates medication records into new section. Technical edits only; no substantive edits. Intent/rationale: New section added to separate requirements for medication records for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
N/A	781-560	N/A	Change: New section. *Added requirements for self-administered medication. *Added a requirement for the center to create policies and follow regulations for self-administration if self-administration is allowed. *Added language requiring the center to document any medication self-administered by a child, notify the parent if safety procedures are not followed, and take responsibility for administering the medication. Intent/rationale: Intent was to allow self-administration of medication when appropriate while still ensuring the safety of children. Impact: Additional flexibility to allow children independence and autonomy.
780-520	781-570	This section describes requirements for the administration of over-the-counter skin products. Current standards only allow children 9 and older to apply their own sunscreen.	Change: Incorporates current requirements in 8VAC2-780-520. Changes language from "over the counter" to "topical." *Added language that allows school-age children to access and apply hand sanitizers, sunscreens, lip balms, and hand lotions under adult supervision.

			*Adds requirement that written parent permission is obtained annually. Technical edits. Intent/rationale: Added flexibility for school-age children while still ensuring the safety of children. Ensure there is still a need for topical skin products based on parent permission. Technical edits for ease of use. Impact: Increased child safety related to topical skin products.
780-530	N/A	This section describes requirements for first aid training and cardiopulmonary resuscitation.	Requirements incorporated into 781-150.
780-540	781-580	This section describes requirements for first aid and emergency supplies.	Change: Incorporates current requirements in 8VAC20-780-540. *Removed requirement for activated charcoal to be kept at the center and on field trips. *Removed requirement for a first aid instructional manual. Technical edits. Intent/rationale: Removes unnecessary emergency supplies that are difficult to obtain or may be outdated. Impact: Reduced regulatory burden on providers without sacrificing safety of children in care.
780-550 (partial)	781-590	This section describes procedures for emergencies to include an emergency preparedness plan with components to address evacuation, shelter-in- place, and lockdown.	Change: Incorporates current requirements in 8VAC20-780-550. *Added a requirement for emergency procedures to include response to a pandemic. *Added a requirement for methods to account for all children and ensure continued supervision of children in emergency. Intent/rationale: The intent is to ensure the safety and well-being of children during emergency response and align with CCDF requirements. Impact: Increased child safety related to emergency preparedness.
780-550 (partial)	781-600	This section describes procedures for emergencies to include emergency drills.	Change: New section that incorporates requirements in 8VAC20-780-550. *Added a requirement for drills to be practiced in each building used by children and with all staff and children present at the time of the drill.

			*Removed documentation requirements for certain aspects of the drill, such as the identity of person conducting the drill, method of notification, special conditions simulated, problems encountered, and weather conditions. Intent/rationale: The intent is to ensure the safety and well-being of children during emergency response and align with CCDF requirements. Impact: Increased child safety related to emergency preparedness while reducing administrative burden related to record keeping.
780-560	781-610	This section describes requirements for nutrition and food services. Current standard requires staff to sit with children during meal times. Current standards require tables and high chairs to be cleaned daily and sanitized before and after each use for feeding. Current standards require that children not be allowed to drink or eat while walking around.	Change: Incorporates current requirements from 8VAC20-780-560. *Revised standard to require staff to be present in the feeding area when children are eating rather than sitting with the children. *Revised standard to require that children be seated or standing in one place while eating or drinking and shall not eat while riding in vehicles. *Revised standard requires tables and high chair trays to be cleaned before and after each use rather than daily. *Removed requirement for children to be encouraged to feed themselves. *Removed requirement for centers to serve a variety of nutritious foods and shall serve at least three sources of vitamin A and C on various days each week. Intent/rationale: The intent is to prevent choking, to prevent outbreaks of foodborne illnesses and infectious disease, and to protect children from potential exposure to allergens. Removes redundant requirement for meal requirements. All centers are required to follow USDA meal guidelines. Impact: Increased child safety related to nutrition.
780-570	781-620	This section describes requirements for special feeding needs to include infant feeding and food preparation.	Change: Incorporates current requirements in 8VAC20- 780-570. *Added a requirement for documentation on infant feeding schedule to include whether infant receives breast milk, formula, or milk. *Added additional safety measures for infant feeding including storage and preparation.

			*Added a requirement to address feeding provisions during emergencies. Intent/rationale: Enhance infant safety during feeding and food preparation. Impact: Increased child safety related to feeding.
780-580 (partial)	781-630	This section describes requirements for transportation and field trips.	Change: New section that incorporates requirements in 8VAC20-780-580 related to field trips. Separates requirements for field trips from transportation. *Removes requirements for perishable food to be kept on ice in insulated container (covered by other standards). Technical edits. Intent/rationale: New section added to separate requirements for field trips for ease of reference. Remove duplicative requirements. Impact: Clear, concise, and easy to read regulatory requirements.
780-550 (partial) 780-580 (partial)	781-640	Section 780-550 describes requirements for emergency preparedness. Section 780-580 describes requirements for transportation and field trips.	Change: Incorporates current requirements in 8VAC20-780-550 and 780-580. Separates requirements for transportation from field trips. Added language to require a method of communication for emergencies during transportation. *Removed requirement for center to be responsible for children during transportation (covered by other standards). *Removed requirement for a vehicle's seats to be attached to floor (covered by other standards). *Added requirement that driver verifies all children are removed from vehicle by checking the entire vehicle. Technical edits. Intent/rationale: Added separate requirements for transportation for ease of reference. Remove duplicative requirements. Impact: Clear, concise, and easy to read regulatory requirements.
780-590	N/A	This section describes requirements for the transportation of non-ambulatory children.	Section repealed. Incorporated in requirements for therapeutic programs.

780-600	781-650	This section describes requirements for animals and pets.	Change: Retains current requirements in 8VAC20-780-600. *Added language that prohibits children from having direct physical contact with monkeys, bats, ferrets, reptiles, psittacine birds (birds of the parrot family), or stray, wild, poisonous, or dangerous animals. *Added language that prohibits animals that have shown aggressive behavior. *Added language that requires all animal excrement to be removed promptly, disposed of properly, and, if indoors, the soiled area cleaned and sanitized. *Added language that requires first aid, parent notification, medical attention if necessary, and documentation in the event of a child receiving an animal bite. Intent/rationale: The intent is to ensure the safety of children when they are exposed to animals. Impact: Increased child safety related to animals.
780-610	781-660	This section describes requirements for evening and overnight care. Current standards only allow children at least eight years of age to use bunk beds.	Change: Incorporates current requirements in 8VAC20- 780-610. *Removed requirement for bed with mattress for certain children. *Removed requirement for separate sleeping areas for opposite sex children. *Removed requirement for an evening snack (covered under other standards about timing of being offered food). *Requirement expanded to allow school age children to use bunk beds for sleeping. *Requirements added related to staff-to-children ratios. Intent/rationale: Remove unnecessary and duplicate requirements. Impact: Reduction in regulatory burden while still ensuring the safety of children during evening and overnight care.
N/A	781-670	N/A	Change: New section. The changes reflect reorganization and grouping of requirements for therapeutic and special needs child day centers that were previously located throughout the standards.

			Intent/rationale: New section added on group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-110	781-680	This section describes individual assessment requirements for therapeutic child day programs.	Change: New section that incorporates the requirements in 8VAC20-780-110. The changes reflect reorganization and grouping of assessment requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Technical edits; no substantive changes. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-120	781-690	This section describes individual service, education or treatment plan requirements for therapeutic child day programs.	Change: New section that incorporates requirements in 780-120. The changes reflect reorganization and grouping of service plan requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Expands individual plans to include recreation plans. *Removes requirement to rewrite the plan annually. Technical edits. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Removes unnecessary annual rewrite requirement when plans are reviewed every three months. Impact: Clear, concise, and easy to read regulatory requirements.
780-190 (partial) 780-210 (partial)	781-700	Section 780-190 describes program director qualification requirements. Section 780-210 describes program leader qualification requirements.	Change: New section that incorporates requirements in 8VAC20-780-190 and 780-210. The changes reflect reorganization and grouping of staff qualification requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Technical edits only; no substantive

			edits. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-240 (partial) 780-245 (partial)	781-710	Section 780-240 describes orientation requirements. Section 780-245 describes annual training requirements. Current standards require staff in therapeutic and special needs child day programs to complete four additional hours of training and that at least eight hours of annual training are on topics related to the care of children with special needs.	Change: New section that incorporates requirements in 8VAC20-780-240 and 780-245. The changes reflect reorganization and grouping of staff training requirements for therapeutic and special needs child day centers that were previously located throughout the standards. *Added language to return training requirement to previous requirement of eight hours rather than four. *Added requirement for staff to receive training in the special needs of the children in care. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. The intent is to correct a technical error. The requirement was inadvertently changed as an adjustment to a proposed increase in annual training in another action. Impact: Clear, concise, and easy to read regulatory requirements.
780-355	781-720	This section describes staff-to-children ratio requirements for therapeutic and special needs child day programs.	Change: New section that incorporates requirements in 8VAC20-780-355. The changes reflect reorganization and grouping of staff-to-children requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Technical edits. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-430 (partial)	781-730	This section describes equipment and materials requirements.	New section that incorporates requirements in 8VAC20-780-430. The changes reflect reorganization and grouping of equipment requirements for therapeutic and special needs programs that were

			previously located throughout the standards. *Adds requirement to provide appropriate positioning equipment. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Ensure safe alignment, pressure relief, comfort and full participation in floor based activities. Impact: Clear, concise, and easy to read regulatory requirements. Improved safety and reduced injury risk and enhanced participation and inclusion.
780-570 (partial)	781-740	This section describes requirements for special feeding needs.	Change: New section that incorporates requirements from 8VAC20-780-570. The changes reflect reorganization and grouping of feeding requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Technical edits only; no substantive edits. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.
780-590	781-750	This section describes requirements for transporting non-ambulatory children.	Change: New section that incorporates requirements from 8VAC20-780-590. The changes reflect reorganization and grouping of transportation requirements for therapeutic and special needs child day centers that were previously located throughout the standards. Technical edits only; no substantive edits. Intent/rationale: New section added group requirements for therapeutic and special needs child day centers for ease of reference. Impact: Clear, concise, and easy to read regulatory requirements.