



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VA 23218-2120

DATE: June 17, 2024

TO: Filing Exempt Child Day Programs

FROM: Jeffrey S. Williams, Assistant Superintendent - Department of Child Care Health and Safety, Virginia Department of Education

SUBJECT: 2024 Legislative Implementation and Filing Process

This memo will inform you of legislation that passed in the 2024 Virginia General Assembly session that affects filing exempt child day programs. The legislation will become effective July 1, 2024. In addition, this memo contains information about the updated process to submit annual filings to operate exempt from licensure.

Waivers to Operate in Office Buildings: Senate Bill (SB) 13 / House Bill (HB) 281

[SB13](#) and [HB281](#) amend the Code of Virginia, adding §15.2-2292.2. This law permits any locality to adopt an ordinance that provides waiver of any requirements for zoning permits for the operation of a child day program in an office building, as defined by the bill, provided that such facility satisfies the requirements for state licensure as a child day program.

Exemption from Licensure for Military Programs: Senate Bill (SB) 702 / House Bill (HB) 739

[SB702](#) and [HB739](#) amend §22.1-289.030 of the Code of Virginia by adding two child day program types eligible to operate exempt from licensure: (i) a child day program that is located on a military base or federal property and serves only dependent children of military personnel; and (ii) a child day program that is certified as a family child care provider by a branch of the Armed Forces of the United States and serves only dependent children of military personnel. Such programs that wish to operate exempt from licensure must follow the requirements to file outlined in the Code.

Updated Process to Submit Annual Filing Requirement

Child day programs filing to operate exempt from licensure will be able to submit initial filings for exemption, annual filings for exemption, and other documents through the Department's [online portal](#) effective July 1, 2024. Child day programs will simply complete a statement of exemption form and upload the document through the online portal rather than using the DocuSign platform. The portal will ensure that documents are submitted securely to the Department. We are hopeful that you will find the eForm format to be user friendly and easy to navigate. The updated statement of exemption form and a quick reference guide on using the portal are attached to this memo for your convenience, and will be made available on the [Exempt Filing webpage](#) on the Department's child care website on or before July 1st.

Additional Information

Requirements to operate exempt from licensure can be found in [§ 22.1-289.030](#) of the Code of Virginia.

Additional resources are available on the [Exempt Filing webpage](#) on the Department's child care website.

Email questions to ccl exemptions@doe.virginia.gov.