



COMMONWEALTH of VIRGINIA

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

DATE: September 19, 2025

TO: Licensed Child Day Programs, Licensed Family Day Systems, Religiously Exempt Child Day Centers, Voluntarily Registered Family Day Homes, and Family Day Homes Approved by a Family Day System

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

SUBJECT: Notice of Public Comment Period for Proposed Background Checks for Child Day Programs and Family Day Systems, 8VAC20-770

The Proposed Background Checks for Child Day Programs and Family Day Systems regulation (8VAC20-770) will be published in the Virginia Register of Regulations (Volume 42, Issue 3) on September 22, 2025, starting a 60-day public comment period that continues through November 21, 2025.

The Proposed Background Checks for Child Day Programs and Family Day Systems represents an action to repeal the regulation, 8VAC20-770, in order to establish, in a separate action, a new regulation that incorporates background check requirements, general procedures for licensure, and fee requirements for all child day programs and family day systems. The Proposed General Procedures and Background Checks regulation (8VAC20-821) establishes this new comprehensive chapter which includes updates to the current General Procedures and Information for Licensure (8VAC20-820); Fee Requirements for Processing Applications (8VAC20-830) and background check requirements found in the current 8VAC20-770 for all child day programs required to have a background check by Chapter 14.1 of Title 22.1 of the *Code of Virginia*. The purpose of the regulatory action to establish this new regulation, Chapter 821, is to clarify existing regulatory requirements, update practices and procedures, and implement statutory requirements.

The new chapter, 8VAC20-821, is in the final stage of the regulatory process. The Virginia Department of Education will send notification of public comment in a separate notice if the final regulation is approved.

Comments on the proposed regulation to repeal the current 8VAC20-770 and establish a new combined regulation, 8VAC20-821, may be submitted via Regulatory Town Hall at <https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10508>; or emailed to Tatanishia Armstrong, Legislative Consultant, Virginia Department of Education, 101 N. 14th St., Richmond, VA 23219, 804-382-5047, tatanishia.armstrong@doe.virginia.gov. In order to be considered, comments must be received by 11:59 p.m. on the last day of the public comment period.