



COMMONWEALTH of VIRGINIA

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

DATE: December 1, 2025

TO: Licensed Child Day Centers, Licensed Short-Term Child Day Centers, Licensed Family Day Homes, and Licensed Family Day Systems

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

SUBJECT: Final Adoption Period for General Procedures for the Licensure of Child Day Programs and Family Day Systems and Background Checks, 8VAC20-821

The final *General Procedures for the Licensure of Child Day Programs and Family Day Systems and Background Checks* regulation (8VAC20-821) will be published in the [Virginia Register of Regulations](#) (Volume 42, Issue 8) on December 1, 2025.

- This will mark the start of the final adoption period in which a minimum 30-day waiting period begins prior to the effective date of the regulation, scheduled for February 1, 2026.

The final *General Procedures for the Licensure of Child Day Programs and Family Day Systems and Background Checks* regulation (8VAC20-821):

- Establishes a new comprehensive chapter which includes general procedures and information for licensure;
- Incorporates background check requirements for licensed programs that are required to have a background check pursuant to Chapter 14.1 of Title 22.1 of the *Code of Virginia*;
- Clarifies existing regulatory requirements, updates practices and procedures;
- Includes language to implement statutory requirements; and
- Reflects the Department's efforts to streamline and clarify requirements accomplished through a comprehensive review pursuant to Governor Youngkin's [Executive Order 19](#), and takes into consideration the needs of the child care provider community and the families served in child care programs.

The final regulation is organized to offer clarification and clear directions related to each "phase" of the licensing cycle so that an applicant or licensee can find requirements easily. The [final text](#) is available on the [Virginia Regulatory Town Hall](#) website.

Key changes include the following:

- **Structure and requirements:** *General Procedures and Information for Licensure* (8VAC20-820), *Background Checks for Child Day Programs and Family Day Systems* (8VAC20-770), and *Fee Requirements for Processing Applications* (8VAC20-830) were merged into one regulation.
- **Terms of the license:** Compliance with administrative sanctions imposed by an Order will be considered a term of the license.
- **Variances:** The superintendent may issue variances to a group of programs where there is a demonstration of hardship.
- **Background checks:** Background check requirements are fully aligned with the *Code of Virginia*.
- **Applications and licenses:** Applicants will have six months to complete the license application. Regular licenses will be for a two-year period for all program types. Licensees may be issued a provisional license following a conditional license.
- **Fees:** Application fees will reflect a two-year licensure period rather than installment fees. There are no increases to fees.
- **Prohibited acts:** Expectations of licensees are clarified under the terms of the license.
- **Review process:** Timeframe to appeal inspection findings is reduced and the review process is condensed to one review by program supervisory staff who will be designated by the superintendent.
- **Consent agreements:** An applicant or licensee has the option to request to enter into a consent agreement in lieu of adverse action in addition to instances where the Department intends to revoke or deny a license.

More detailed information on regulatory changes can be reviewed in the [Agency Background Document](#) posted on the Virginia Regulatory Townhall.

Prior to the effective date of the new regulation, the Department will provide comprehensive training and information during the week of January 5, 2026. More details will be provided in a separate notification.

December 1 will mark the start of the final adoption period in which a minimum 30-day waiting period begins prior to the effective date of the regulation, scheduled for February 1, 2026.

- During this waiting period, the public may request an additional public comment period. This may be submitted via the [Virginia Regulatory Town Hall](#) by selecting “In Progress” in the Comment Period section. In order for requests to be considered, they must be received by 11:59 pm on the last day of the waiting period, December 31.
- In addition, the Governor may review the final regulation and direct the agency to suspend the effective date.