



COMMONWEALTH of VIRGINIA

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

DATE: May 15, 2026

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

SUBJECT: Final Adoption Period for the Repeal of Background Checks for Child Day Programs and Family Day Systems, 8VAC20-770

The final action to repeal *Background Checks for Child Day Programs and Family Day Systems* (8VAC20-770) will be published in the [Virginia Register of Regulations \(Volume 42, Issue 20\)](#) on May 18, 2026. This publication begins the minimum 30-day final adoption period before the repeal becomes effective on June 17, 2026.

The repeal of *Background Checks for Child Day Programs and Family Day Systems* (8VAC20-770) is necessary following the adoption of the new regulation, *General Procedures for the Licensure of Child Day Programs and Family Day Systems and Background Checks* (8VAC20-821), which took effect on February 1, 2026. The new regulation incorporates the background check requirements currently found 8VAC20-770 for child day programs subject to background checks required by Chapter 14.1 of Title 22.1 of the *Code of Virginia*. Additional details regarding the repeal are available in the [Agency Background Document](#) on the Virginia Regulatory Town Hall.

During the 30-day waiting period, the public may request an additional public comment period through the [Virginia Regulatory Town Hall](#) by selecting "In Progress" in the Comment Period section. Requests must be submitted by 11:59 pm on June 17, 2026, to be considered.

The Governor may also review the final action and direct the agency to suspend the effective date.

Any questions can be directed to your licensing inspector or sent to childcarelicensing@doe.virginia.gov.