

## DOCUMENTATION FOR CERTIFICATION OF PRESCHOOL PROGRAMS

Section 63.2-1717 of the Code of Virginia provides for the certification of preschool programs operated by an accredited private school. These programs are exempt from licensure if they comply with the requirements of this section of the Code and submit specific documentation. The attached information serves to explain the required documentation.

The law requires all private schools seeking certification of preschool programs to file required information on forms designated by the Commissioner of Social Services. Copies of the required forms are included along with a checklist to help you account for this information needed to initiate your certification. Please read the detailed explanation of the documentation requirements carefully to prevent delays in processing certification materials.

It is also important that you respond to this information promptly. Delays in filing certification materials may cause items of required documentation submitted initially, e.g., building, health and fire safety inspection verification, to expire before all other required documentation is received. Similarly, staff turnover and enrollment changes may occur while certification is delayed, requiring the submission of new or revised documentation to reflect such changes.

Since certification documentation must be submitted annually, the required forms will be provided to you annually with a renewal certification packet. This packet will be sent to you 60- 90 days before the expiration of your current certification. Although an extra copy will be provided upon request, you are primarily responsible for making copies of these forms as needed. Please fill in the appropriate information and return these forms to your local regional licensing office. Office locations can be found online at:

[https://www.dss.virginia.gov/files/division/licensing/contacts/licensing\\_offices.pdf](https://www.dss.virginia.gov/files/division/licensing/contacts/licensing_offices.pdf)

**The following documentation is required to be filed before the beginning of the school year or calendar year and annually thereafter:**

1. Accreditation Verification Form: (i.e., documentary evidence that the school is accredited in accordance with § 63.2-1717, of the Code of Virginia); **this form must be completed, signed, and dated by a representative of the accrediting organization.**
2. Virginia Council for Private Education Certification Form: (i.e., documentary evidence that the school is accredited by an organization pursuant to § 22.1-19 of the Code); this form must be completed, signed, and dated by the Executive Director of the Virginia Council for Private Education (VCPE). VCPE contact information can be found at <http://www.vcpe.org/>.
3. Compliance Statement of Required Documentation Form: **This form must be signed and dated by the school administrator** and shall include verification of the following documentation:
  - A statement of the school's intent to begin or continue to operate a certified preschool program, which includes the maximum enrollment capacity at any one time and the age range of children participating in the program, and acknowledges whether the school meets the requirements of § 63.2-1717 of the Code of Virginia;

- Documentation that the parents, guardians or persons having charge of a child enrolled in the school's preschool program have been provided written notification that the program is exempt from licensure;
- Notification that the preschool program is exempt from licensure is posted in a visible location on the premises;
- Documentation that the parents, guardians or persons having charge of a child enrolled in the school's preschool program have been provided written notification of the following information: the school's compliance with the applicable laws and regulations relating to food services, health and sanitation, water supply, building codes, the Statewide Fire Prevention Code or the Uniform Statewide Building Code, the preschool program's maximum enrollment capacity, the school's policy or practices for pupil-teacher ratio, staffing patterns and staff health requirements, and a description of the school's public liability insurance, if any;

(This document may be in the form of a letter, pamphlet, handbook or newsletter. There should be verifiable evidence that the document is available to the general public. The approved maximum enrollment at any one time will be on the certification letter issued by the Commissioner of Social Services.)

Public liability insurance is generally required in the event that someone brings suit against the preschool program for personal or bodily harm suffered as a result of negligence during the program's normal hours of operation. Most public liability insurance policies provide a minimum coverage of \$300,000. The policy number and expiration date of the school's public liability insurance coverage is required on this compliance statement, if the school's accrediting association requires liability insurance. Each staff employed by the preschool program must comply with the pupil-teacher ratio, staffing patterns and health requirements established by the school's accreditation organization.

- Documentation of the preschool's compliance with the applicable laws and regulations relating to food services, health and sanitation, water supply, building codes, the Statewide Fire Prevention Code or the Uniform Statewide Building Code, the preschool program's maximum enrollment capacity, the school's policy or practices for pupil-teacher ratio, staffing patterns and staff health requirements, and a description of the school's public liability insurance shall be available to the general public;
- Documentary evidence that the private school requires all employees of the preschool, and other school employees who have contact with the children enrolled in the preschool program, to obtain a criminal record check as provided in § 63.2-1720.1 to meet the requirements of § 22.1-296.3 as a

condition of initial or continued employment. The school shall not hire or continue employment to any such person who has a conviction of a barrier crime as defined in § 19.2-392.02 of the Code of Virginia or is found to be the subject of a founded complaint of child abuse or neglect within or outside of the Commonwealth;

The background checks required are the following:

- Sworn Disclosure Statement (form available on the [VDSS website](#));
  - National Criminal Background Check, fingerprint based, obtained through VDSS Office of Background Investigations;
  - Child Protective Services Central Registry Check obtained from VDSS;
  - Out-of-State Central Registry Check for any individual 18 years and older who has lived in another state in the past five years;
  - Out-of-State Criminal History Name Check for any other state a person has resided in the past five years; and
  - Out-of-State Sex Offender Registry Check for any other state a person has resided in the past five years;
- A list of qualifications of school personnel who work in preschool program including their job titles, education, training, experience and/or skills is required to be attached to this compliance statement;
  - Documentation of the number of hours the children enrolled in the preschool program attend per day and the number of hours the children attend instructional classes per day; and
  - Certification that the school will report to the Commissioner all incidents involving serious injury or death to children attending the preschool program. Reports of serious injuries, which shall include any injuries that require an emergency referral to an offsite health care professional or treatment in a hospital, shall be submitted annually. Reports of deaths shall be submitted no later than one business day after the death occurred.
4. Checklist of Section 63.2-1717: The school must confirm whether the preschool program it operates is in compliance with the requirements of § 63.2-1717 by checking all items applicable to the program. If all items in § 63.2-1717 are not checked, the program shall be subject to licensure. **The form must be signed and dated by the school administrator.**
  5. Building, Health and Fire Safety Inspection Verification Form: Documentary evidence that the physical facility in which the preschool program will be conducted has been inspected by the local building inspector before initial certification and within the twelve-month period prior to initial certification and at least annually thereafter by the local health department, and local fire marshal or Office of the State Fire Marshal. **The building, health and fire safety reports are not required to be returned with the certification documentation. Only the verification form is**

**required to be returned, and must be signed and dated by the school administrator.**

6. Health Inspection Report: The physical facility of the preschool program must be inspected and approved annually by an official from your local health department. An inspection must have been completed within the prior calendar year. Call your local health department to request an inspection. You should request a copy of the completed report with the date of inspection from the inspecting health official. This report is to be maintained in the school's records.
7. Fire Inspection Report: The physical facility of the preschool program must be inspected annually by an inspector from an authorized Fire Prevention Bureau or by the Office of the State Fire Marshall. You may contact the regional Office of the State Fire Marshall representing your locality to determine who has jurisdiction to perform this inspection. A copy of this completed report with the date of inspection should be requested from the inspecting fire official and maintained in the school's records.
8. Inspection report must confirm that the facility is in compliance with applicable laws and regulations relating to food service, health and sanitation, water supply, building codes, and the Statewide Fire Prevention Code or the Uniform Statewide Building Code.

## CHECKLIST OF REQUIRED DOCUMENTATION

Name of Preschool: \_\_\_\_\_

Capacity: \_\_\_\_\_ Age Range: \_\_\_\_\_

### Date Submitted:

- \_\_\_\_\_ 1. Accreditation Verification
- \_\_\_\_\_ 2. Virginia Council for Private Education Certification
- \_\_\_\_\_ 3. Compliance Statement of Required Documentation, including list of staff qualifications, and certification that the school will report to the Commissioner all incidents involving serious injury or death to children attending the preschool program
- \_\_\_\_\_ 4. Checklist of § 63.2-1717
- \_\_\_\_\_ 5. Building, Health and Fire Safety Inspection Verification

**ACCREDITATION VERIFICATION FORM**

This form hereby confirms that \_\_\_\_\_  
(Name of Private School)

located at \_\_\_\_\_

is accredited by \_\_\_\_\_.  
(Accrediting Organization)

\_\_\_\_\_  
Representative of Accrediting Organization

\_\_\_\_\_  
Date

Note:

§ 63.1717 of the Code of Virginia allows a preschool or nursery school program operated by a private school accredited by an accrediting organization recognized by the Board of Education to be exempt from licensure if program complies with certain requirements.

**VIRGINIA COUNCIL FOR PRIVATE EDUCATION (VCPE) CERTIFICATION**

This form hereby certifies that \_\_\_\_\_  
(Accrediting Organization)

is recognized by the Board of Education pursuant to § 22.1-19 of the Code of Virginia.

\_\_\_\_\_  
Executive Director of VCPE

\_\_\_\_\_  
Date

Note: Section 63.1717 of the Code of Virginia allows a preschool or nursery school program operated by a private school accredited by an accrediting organization recognized by the State Board of Education if the program complies with certain requirements. Section 22.1-19 of the Code of Virginia authorizes the Virginia Council for Private Education to accredit private nursery, preschool, elementary, and secondary schools in Virginia.

**COMPLIANCE STATEMENT OF REQUIRED DOCUMENTATION**

\_\_\_\_\_ has a  
(Name of the School)

maximum enrollment of \_\_\_\_\_ students and intends to operate a certified preschool program for \_\_\_\_\_ (maximum enrollment) children at any one time in the age range of \_\_\_\_\_ through \_\_\_\_\_.

This school meets the requirements § 63.2-1717 of the Code of Virginia. The parents, guardians or persons having charge of a child enrolled in the school’s preschool program have been provided written notification that the preschool program is exempt from licensure and notification that the preschool program is exempt from licensure has been posted in a visible location on the premises. In addition, the parents, guardians or persons having charge of a child enrolled in the school’s preschool program have been provided written notification of the following: the school’s compliance with applicable laws and regulations relating to food services, health and sanitation, water supply, building codes, the Statewide Fire Prevention Code or the Uniform Statewide Building Code, the preschool program’s maximum enrollment capacity, the school’s policy or practice for pupil-teacher ratio, staffing patterns and staff health requirements, and a description of the school’s public liability insurance, if any. A written statement of this notification is available to the general public.

The school’s public liability insurance coverage policy number is \_\_\_\_\_, and has an expiration date of \_\_\_\_\_.  
(Complete only if accrediting organization requires public liability insurance).

\_\_\_\_\_ requires all employees of the preschool program  
(Name of the Private School)

and other school employees who have contact with children enrolled in the program to obtain a criminal record check, sex offender registry check, and a search of the child abused and neglect registry from any state in which the individual has resided in the preceding five years as a condition of initial or continued employment as provided in § 63.2-1720.1 of the Code of Virginia to meet the requirements of § 22.1-296.3. This school refuses to hire or continue to employ any person who has a conviction of a barrier crime as defined in § 19.2-392.02 of the Code of Virginia or found to be the subject of a founded complaint of child abuse or neglect within or outside of the Commonwealth. A list of the qualifications of school staff who work in the preschool program including their job titles, education, training, experience and/or skills is attached to this statement.

This school certifies that all serious injury to or death of children attending the preschool program will be reported to the Commissioner of the Department of Social Services. Reports of serious injuries, which shall include any injuries that require an emergency referral to an offsite health care professional or treatment in a hospital, shall be submitted annually. Reports of deaths shall be submitted no later than one business day after the death occurred.

I acknowledge that I am in receipt of, have read, and intend to comply with § 63.2-1717 and § 63.2-1720.1 of the <u>Code of Virginia</u> .	
_____	_____
Signature of School Administrator	Date



### CHECKLIST OF § 63.2-1717 Requirements

Place a check beside the item(s) applicable to your program to confirm it meets the requirements set forth in § 63.2-1717 of the Code of Virginia.

B. A school described in Subsection A shall meet the following conditions in order to be exempt from licensure under this subsection:

\_\_\_\_\_ 1. The school offers kindergarten or elementary school instructional programs that satisfy compulsory school attendance laws, and children below the age of compulsory school attendance also participate in such instructional programs;

\_\_\_\_\_ 2. The number of pupils in the preschool program does not exceed twelve pupils for each instructional adult, or if operated as a Montessori program with mixed age groups of three-year-old to six-year-old children, the number of pupils in the preschool program does not exceed 15 pupils for each instructional adult;

\_\_\_\_\_ 3. The school (i) maintains an average enrollment ratio during the current school year of five children age five or above to one four-year-old child, and not child in attendance is under age four, or (ii) does not allow children below the age of eligibility for kindergarten attendance to attend the preschool program for more than five hours per day, of which no more than four hours of instructional classes may be provided per day, and no child in attendance is under age three;

\_\_\_\_\_ 4. The preschool offers instructional classes and does not hold itself out as a child care center, child day center or child day program;

\_\_\_\_\_ 5. Children enrolled in the preschool do not attend more than five days a week; and

\_\_\_\_\_ 6. The school maintains a certificate or permit issued pursuant to a local government ordinance that addresses health, safety and welfare of the children.

\_\_\_\_\_  
Signature of School Administrator

\_\_\_\_\_  
Date

**BUILDING, HEALTH AND FIRE SAFETY INSPECTION VERIFICATION FORM**

The physical facility of \_\_\_\_\_,  
(Preschool Program)

located at \_\_\_\_\_, was

inspected by a local building official, \_\_\_\_\_  
(Official's Name)

on \_\_\_\_\_, by a local health department official  
(Date of Inspection)

\_\_\_\_\_ on \_\_\_\_\_,  
(Official's Name) (Date of Inspection)

and by a local fire department official or the State Fire Marshal,

\_\_\_\_\_ on \_\_\_\_\_.  
(Official's Name) (Date of Inspection)

*The building, health and fire safety inspections reports confirm that the physical facility of the preschool program is in compliance with applicable laws and regulations relating to food service, health and sanitation, water supply, building codes, and the Statewide Fire Prevention Code or the Uniform Statewide Building Code.*

\_\_\_\_\_  
School Administrator

\_\_\_\_\_  
Date