

WHERE CAN I FIND THE REQUIREMENTS FOR CHILD DAY PROGRAMS THAT ARE EXEMPT FROM LICENSURE?

The Code of Virginia § 63.2-1715 Exemptions from licensure. (effective July 1, 2019) can be found on [Virginia's Legislative Information System website](#).

HOW CAN MY PROGRAM FILE A STATEMENT OF EXEMPTION?

An exempt child day program must file a "Statement of Exemption" with the Commissioner of the Virginia Department of Social Services (VDSS) online, by email or by mail.

Programs are encouraged to file online using the VDSS webpage "[Exempt Child Day Program Filing](#)" at <https://www.dss.virginia.gov/facility/exemptions.cgi>

If a program chooses to file by email or mail, the "[Statement of Exemption](#)" should be downloaded and emailed or mailed to:

By Email:

exemptions@dss.virginia.gov

or

By Mail:

VDSS/Division of Licensing Programs,
ATTN: Exemptions
801 E. Main Street
9th Floor
Richmond, VA 23219

The following fields of information must be included in a filing, as required by Code:

- A statement indicating the intent to operate a child day program
- Identifying the specific provision of Code of Virginia § 63.2-1715 the program relies upon for exemption from licensure
- Certifying that the program has disclosed in writing to the parents or guardians of the children in the program the fact that it is exempt from licensure

WHEN AND HOW OFTEN DOES MY PROGRAM HAVE TO FILE A STATEMENT OF EXEMPTION?

New exempt child day programs must file prior to beginning operation of a program and then annually after that time.

Programs that existed before the effective July 1, 2019 change to the Code of Virginia § 63.2-1715 must file with the Commissioner of VDSS by July 1, 2020.

HOW DOES MY PROGRAM REPORT A SERIOUS INJURY OR DEATH OF A CHILD?

An exempt child day program must report a serious physical injury annually and a death no later than one business day after the death occurred.

VDSS highly recommends the program submit an online "[Injury of a Child Requiring Outside Medical Treatment/Death Report](#)" for all serious injury or death occurrences.

Once on this webpage, click on the green box that applies to the program ("*Subsidy Programs*" or "*Non Subsidy Programs*") to begin the online report. On the report, select "*Exempt Child Day Program*" as the type of provider. The submitted report will be transmitted to Home Office.

The exempt program may also choose to submit a report of a serious physical injury or death by phone, email or mail.

PHONE: 804-726-7143

EMAIL: exemptions@dss.virginia.gov

MAIL: VDSS/Division of Licensing Programs, ATTN: Exemptions, 801 East Main Street, 9th Floor, Richmond, VA 23219

WHERE CAN I FIND RESOURCES FOR STAFF TRAINING AND CERTIFICATION IN FIRST AID AND CPR?

The "[TIPS \(Training Information for Provider Success\) Calendar](#)" on the VDSS website lists many professional development opportunities for staff. This calendar includes many first aid/CPR certification courses offered in different regions throughout the Commonwealth.

American Red Cross also provides [class offerings](#) for first aid and CPR certification on their website.

WHAT ARE THE LAWS AND REGULATIONS GOVERNING TRANSPORTATION OF CHILDREN THAT APPLY TO MY PROGRAM?

[Title 46.2 "Motor Vehicles"](#) of the Code of Virginia contains all laws pertaining to transportation.

The main areas that pertain to the transportation of children are:

- Each driver possesses a current Virginia driver's license or CDL
- Each vehicle is insured
- Each vehicle receives the required state inspections
- Vehicles are equipped with appropriate child restraint devices

WHERE CAN I LEARN MORE ABOUT SAFE SLEEP?

Exempt child day programs who are required by the Code of Virginia § 63.2-1715 (D)(5) to comply with safe sleep guidelines must follow the recommendations of the American Academy of Pediatrics.

The [American Academy of Pediatrics website](#) has an extensive amount of information on safe sleep. Additionally, they provide a variety of materials such as videos and posters on their website.

VDSS' [Safe Sleep 365 website](#) also includes many resources to educate caregivers on safe sleep practices.

WILL THE COMMISSIONER BE INSPECTING MY PROGRAM?*

No. A licensing inspector from the Division of Licensing Programs, on behalf of the agency and Commissioner, shall inspect your program *only if a complaint is received* suggesting your program's noncompliance with the Code of Virginia.

**The "only if a complaint is received" requirement does not apply to religiously exempt child day programs or certified preschool or nursery school programs.*

WHO DO I CONTACT IF I STILL HAVE QUESTIONS OR CONCERNS?

Questions or concerns should be directed to VDSS Home Office Operations Consultant, Marty Jo Quade, by email to Marty.Quade@dss.virginia.gov or phone at 804-726-7143.