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## HOUSE JOINT RESOLUTION NO. 770

Offered January 18, 2005

*Supporting the suspension or repeal of the proposed amended regulation, 22 VAC 15-30, concerning Standards for Licensed Child Day Centers.*

Patrons—Marrs, Bland, Callahan, Cox, Dillard, Gear, Griffith, Hargrove, Howell, A.T., Joannou, Jones, D.C., McQuigg, Nixon, Parrish, Putney, Saxman, Suit and Wardrup; Senators: Wagner and Williams

Referred to Committee on Health, Welfare and Institutions

WHEREAS, child-care services in Virginia represent a vital part of the human services spectrum; and  
WHEREAS, the regulation of child-care services is important to the health and safety of children enrolled in such programs; and

WHEREAS, the Department of Social Services in its report, A Study of the Quality, Affordability and Accessibility of Child Care in the Commonwealth of Virginia, Senate Document 4 (2000), states that 95 percent of parents are satisfied with the quality of child-care services, and that Virginia enjoys low staff turnover and a stable workforce in child care; and

WHEREAS, the Department's report stated, "This study finds no discernible failure in the market for child care services in Virginia. The market for child care services appears to be highly competitive with producers showing considerable sensitivity to consumer preferences. The market for child care services in Virginia functions efficiently for households with children age 6 and under"; and

WHEREAS, the reported findings clearly do not lend support for wide-scale policy initiatives for the child-care market in Virginia; and

WHEREAS, the Child Day Care Council has proposed regulations that may reduce licensed capacity statewide in child care and significantly raise the cost to parents; and

WHEREAS, the Child Day Care Council's amended regulation establishes the requirements for the child development credential and those requirements are the accreditation standards of one national professional child care organization; and

WHEREAS, the Child Day Care Council's amended regulation appears to be in conflict with § 63.2-1734 of the Code of Virginia, which stipulates that "such regulations shall not require the adoption of a specific teaching approach or doctrine or require the membership, affiliation, or accreditation services of any single private accreditation or certification agency"; and

WHEREAS, on May 13, 2004, the Child Day Care Council approved the amended proposed regulation and forwarded it to the Governor for final approval; and

WHEREAS, on September 8, 2004, the Joint Commission on Administrative Rules took preemptive action and voted to suspend the regulations and seek the Governor's concurrence; and

WHEREAS, on September 13, 2004, the Joint Legislative Audit and Review Commission received the staff report on child day care regulations and noted its disagreement with the conclusions presented in the report; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly support the suspension or repeal of the proposed amended regulation, 22 VAC 15-30, concerning Standards for Licensed Child Day Centers; and, be it

RESOLVED FURTHER, That, if the regulations are finally adopted pursuant to the Administrative Process Act, the Joint Commission on Administrative Rules, under its authority provided in § 2.2-4014, is requested to suspend the final amended regulation, 22 VAC 15-30, concerning Standards for Licensed Child Day Centers; and, be it

RESOLVED FURTHER, That the Governor, in accordance with subsection B of § 2.2-4014, be requested to concur with such suspension; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates transmit a copy of this resolution to His Excellency the Governor and the chair of the Child Day Care Council so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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