

Child Care Safety in Virginia

Support SB 1096

January 2017



In Brief: SB 1096 introduced by Senator Petersen makes sure that licensed home-based child care providers can continue operating pursuant to state law and in compliance with local ordinances. The bill is needed because a growing number of homeowner associations are prohibiting child care programs from operating.

What the bill says: Child care services by a lot owner who is a licensed child care provider operating within his personal residence pursuant to state law and in compliance with local ordinances shall be considered an accessory residential use.

The homeowners association may establish:

- reasonable restrictions as to the time, place, and manner of the operation of a home business, and
- reasonable restrictions as to the size, place, duration, and manner of the placement or display of signs on the owner's lot.

Any home-based business shall comply with all applicable local ordinances.

Why the Bill is Needed: The state has licensing laws for home-based (and center-based) child care. Many localities also have their own rules and ordinances. Homeowner associations in many communities are outlawing what is allowed under state and local law.

The impact of homeowner association overreach is that families have a harder time finding licensed child care. Licensed care is important because it means that providers have had a background check, are subject to annual training requirements, and some oversight to ensure that they comply with health and safety requirements to promote child well-being.

Virginia's Economy Relies on Working Parents

Recent data for Virginia shows for children under age 6:

- 243,703 are in two parent families where both work.
- 118,771 live in a single parent family led by a working mother.
- 39,621 live in a single parent family led by a working father.

Parents Want Their Children Safe in Child Care

Parents are united in their desire that children are safe in child care. Parents look for caregivers who will be warm and loving with their children and keep them safe. Licensing helps promote child safety.

Child Care Aware of Virginia Recommendation:

- ✓ Support SB1096, which will allow child care programs to operate as long as they meet state and local law.

Homeowner association overreach will restrict care for working families and put children at risk. Licensed care matters for the safety of children. Homeowner association restrictions could push providers underground to operate child care settings without the benefit of training and practices that promote safety like safe sleep practices for babies. Already nearly 60 children throughout Virginia have died in unlicensed care. We need to do all that we can to promote child safety, not undermine it.