



Religious Child Day Centers in Virginia:

- ✘ Not required to be licensed, are “license-exempt” under VA statute
- ✘ While licensed programs require infants to be placed to sleep on their back (as recommended by the American Academy of Pediatrics) and federal law, religious programs are exempt from these requirements.
- ✘ Staff are only required to complete training in fire safety.
- ✘ Religious exempt programs are not required to have inspections that would help identify risky practices for children or close them in serious risky situations.

VA Fast Facts

- 402,000 children under age 6 have working parents
- 496,000 children between age 6 & 12 have working parents

<http://va.childcareaware.org/>

Dylan

One of the first things Betsy Cummings of Culpeper learned as a 22 year-old Navy boatswain new mother was to never lay her son, Dylan, on his stomach to sleep. After her six weeks of maternity leave ended, she placed 7 week-old Dylan in a child care program located at a church in Norfolk. She did not know that child care programs affiliated with churches are not required to be licensed or comply with health and safety protections for children in Virginia.



After returning to work for only one week, she received a phone call informing her that there had been an incident at the child care center. When she arrived at the church, a paramedic told her that Dylan had died. The medical examiner reported that Dylan was a healthy baby. The Department of Social Services released a report on the incident and Cummings learned that because the child care center was located in a church, it was exempt from licensing requirements. The program had too few staff, insufficient training, and engaged in unsafe practices (e.g., Dylan was one of 10 babies who were in cribs in a room that fire marshals had labeled as a utility storage closet). Because the program was “license-exempt,” there was no oversight to protect children.

A judge dismissed felony charges against the owner and staff, “while the Court is certainly sympathetic... the remedy for this situation lies in the sound discretion of the General Assembly, not with the Judiciary.” Cummings is now determined to help change Virginia laws governing child care licensing and regulation to prevent what happened with her son from happening to other children.

Child Care Aware of Virginia’s Policy Recommendations:

- Require minimum health and safety training (including safe sleep practices), annually for all licensed, regulated, and registered child care providers as appropriate for the ages of the children in care.
- Adopt the recommendations from the license-exempt task force to promote child safety in license-exempt care (e.g., require registration for license-exempt providers, background checks for staff, CPR certification for at least one adult on site or with the children, and safe sleeping practices for babies).
- Require fingerprint-based background checks for all licensed, regulated or registered child care providers.

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