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FOR IMMEDIATE RELEASE

Senate Committee Approves Bill to Promote Child Care Safety

Richmond, VA- The Senate Rehabilitation and Social Services Committee approved legislation today, SB 1239, championed by Senator Emmett Hanger, to promote the safety of children in Virginia's license-exempt child care programs.

In 2015, the General Assembly passed legislation to require a review of Virginia's 14 categories of license-exempt child care. A study was published in December of 2016, which reviewed each category and recommended policies to promote child safety. The bill requires:

- Registration with the Virginia Department of Social Services for license exempt programs,
- Posting a notice on the premises that the program is operating under a license-exemption,
- Staff with CPR certification onsite when children are present and at any other location in which children attending the program are present,
- Compliance with background check requirements,
- Maintenance of a daily attendance log,
- An emergency preparedness plan in place,
- Compliance with safe sleep guidelines for babies as recommended by the American Academy of Pediatrics,
- Compliance with all applicable children's safe transportation policies, and
- Reporting all serious injuries and deaths that occur while children are in attendance to the Virginia Department of Social Services.

Testifying in support of the legislation was Betsy Cummings of Culpeper, whose 7 week-old son, Dylan, died in a religious license-exempt program in Norfolk. Dylan was one of 10 babies in the infant room (labeled a utility closet by Fire Marshals) at the Little Eagles Day Care operating out of Bethel Temple Church of Deliverance. "When Dylan died, I was told that the program was license-exempt. I had never heard that term before. I didn't know what it meant," said Cummings. "What I learned was that very few rules applied. There was no minimum training for staff. No CPR rules or safe sleeping practices applied."

Cummings told the Committee, "My case went to Court. A judge dismissed felony charges against the owner and staff. The Judge said, *'while the Court is certainly sympathetic... the remedy for this situation lies*

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in the sound discretion of the General Assembly, not with the Judiciary.’ In short, no laws or rules had been violated because none applied.”

“Senator Hanger’s bill will make sure that those programs operating with a license exemption have at least a few safety rules that apply. I don’t think that’s too much to ask,” said Cummings. “It’s what parents expect.”

Also testifying was Elly Lafkin of Shenandoah, whose 3 month old daughter, Camden, died in unlicensed care. “Children should be safe in child care,” said Lafkin. “Parents should know when a program is license-exempt. Beyond the safety measures required in this bill, is a requirement to post a notice in a visible location on the premises that the program is operating with a license exemption. Parents need to know when they tour a child care program whether it is licensed and what set of rules – if any – a program operates under.”

Child care safety is one of Child Care Aware of Virginia’s top priorities. The bill will next be considered by the Senate Finance Committee.

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Background:

[VA Dept. of Social Services Child Care License-Exempt Care Report
Child Care License Exempt Care \(1 pager\)](#)

Parent Stories:

[Betsy Cummings on behalf of Dylan](#)

[Elly Lafkin on behalf of Cami](#)

[Patience and Kevin Barkman on behalf of Kennedy](#)

[Betsy Cummings Testimony on Behalf of 7 week-old Dylan \(SB1239 before the Senate Rehabilitation and Social Services Committee, 1/27/17\)](#)

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