



## ***Old Dominion Association of Church Schools***

Report from the General Assembly

February 5, 2018

Dear ODACS Friends,

Again, much has happened in Richmond since my last letter. Here is a brief update, followed by an important Action Alert.

### **SB 121 and HB 1128**

These bills would repeal the sunset clause for the fingerprint background check requirement for Religious Exempt Daycares. You may remember that we sent an Action Alert regarding SB 121, which passed the Senate despite our opposition. Since then, HB 1128 was defeated in a subcommittee of the House Committee for Health, Welfare, and Institutions. SB 121 is still alive and will come before that same House subcommittee after the crossover.

### **HB 873**

HB 873 would extend the sunset clause by two years, from July 1, 2018, to July 1, 2020. We are supporting HB 873, preferring extending the sunset clause to seeing it repealed. HB 873 passed in subcommittee on an 8-0 vote on January 31, and it will be considered in full committee this Tuesday, February 6.

### **SB 539 and HB 1480**

These companion bills seek to dramatically restructure Virginia's childcare licensure exemption code. We are supporting both bills, in part because they improve protections for church ministries such as Sunday school and church nurseries. However, we have been seeking important amendments on behalf of our church-run preschools and daycares. Our amendment requests were ignored on the Senate side, and SB 539 has already passed the full Senate. In the House, there is more progress with our amendments, though more work is needed.

1. The bill proposed stricter ratios for school-age children in childcare settings. Such ratio changes would affect your before-school and after-school care. On January 25, we asked for amendments to HB 1480 to maintain the status quo for those ratios, and a House HWI subcommittee unanimously agreed.
2. On January 25 we also asked to amend HB 1480 by adding the word *physical* to the phrase *serious injuries*, to clarify the new serious injury reporting requirement. The bill does define serious physical injuries in code, preventing VDSS from having control of that definition. The HWI subcommittee agreed with our proposal, but it appears that

the word *physical* was not added in all places where it was needed. We are working with the committee to fix that problem.

3. We are also concerned about this language on lines 206 and 207 of the bill, and have requested the striking of some words as follows: “Comply with background check requirements ~~established by regulations of the Board or otherwise~~ provided by law.” This request caused some drama in committee last Thursday, upsetting the Democrats on the committee, and then in turn upsetting the patron of the bill, who is also a Democrat. I have had private conversations with both the committee chairman and the patron and am hopeful that our concerns can still be addressed. The bill was before full committee on Thursday but was passed by for the day. It will come up in full committee again on Tuesday, February 6.

### **ACTION REQUESTS**

1. All senators voted in favor of SB 121. Please contact your senator and respectfully express your disappointment with his or her support of SB 121.
2. **Contact your delegates *today* and request that they vote Yes on HB 873.**
3. **Contact your delegates *today* and request that they support the ODACS amendments to HB 1480.** A copy of the amendments is attached.

### **Implementation of Fingerprint Background Checks**

**ODACS Advice:** *Please continue to wait!* We have not yet received answers from the Attorney General. I have been told that it would likely take the AG’s office a minimum of two weeks to return an answer, and our questions were submitted to him on January 24. We have at least until March 1 to wait, and perhaps longer. We will certainly notify you immediately when the Attorney General has responded to our questions.

Thank you for your continued support and prayers!

Sincerely,

Dan Zacharias  
Executive Director