

Dan Zacharias comments on HB 1568  
January 17, 2017

Mr. Chairman and members of the committee, thank you for the opportunity to speak to House Bill 1568. My name is Dan Zacharias, and I am director of ODACS. The daycares in our ministries are all operated with the Religious Exemption from Licensure.

An article appeared in the Richmond Times on December 20, 2014, entitled "Children in Unlicensed Daycares are 5 Times More Likely to Die." The article cites the following data in support of its title. "At least 51 children died in day care facilities unregulated by Virginia over the past 10 years, compared with only nine in day care operations licensed and regulated by the Virginia Department of Social Services, according to agency data obtained through the Freedom of Information Act and on its website and analyzed by the Richmond Times-Dispatch."

If the term "unregulated" as used in the article is defined correctly, and we believe that it is, then zero of the 51 children died in a Religious Exempt Center. Also, if the term "licensed and regulated" as used in the article is defined correctly, and we believe that it is, then zero of the 9 children who died in licensed centers died in a Religious Exempt Center. I did a diligent search and was actually able to find 1.

Nevertheless, over the past couple of years in the media and in policy discussions, we have listened to the word "unlicensed" used indiscriminately. The effect of this usage appears to be to characterize ALL daycares that operate without a license, including legally license exempt daycares, as unsafe. However, a careful examination of the data suggests that Religious Exempt Centers are statistically safer than both unlicensed day homes AND licensed centers.

In the days leading up to this committee meeting, ODACS has distributed to committee members data gleaned from DSS data found online regarding child abuse occurring in out-of-family settings. The conclusion again is that Religious Exempt Centers are very safe, with a founded case of abuse being nearly 5 times LESS likely to occur in a Religious Exempt Center than in a licensed center.

Our first objection to HB 1568 is that it represents bureaucratic and executive overreach. As a condition of the federal Child Care and Development Block Grant, the bill places requirements on daycares NOT receiving federal money as a condition so that other daycares CAN receive federal money. Furthermore, the Child Care and Development Block Grant places the General Assembly in the

awkward position of having to approve a condition for federal funding AFTER the funds have been disbursed, rather than prior to disbursement.

Our second objection to HB 1568 involves the safety issue. A genuine crisis in one sector of Virginia's child care industry is being used as justification to exert further control over Religious Exempt Centers, which are among Virginia's safest daycares.

ODACS has distributed to the committee suggested amendments to HB 1568 that would carve out Religious Exempt Centers that do not receive federal funds under the Child Care and Development Block Grant.

ODACS requests that the committee adopt the amendments. If it is not the pleasure of the committee to do so, then we would hope that the members of the committee would vote NO on House Bill 1568. Thank you.