



Old Dominion Association of Church Schools

Statement of Support for HJ 49 and SJ 66 (Item 30) Request for Specific Language in HB 1291 and in SB 678

The Old Dominion Association of Church Schools has been represented on the Virginia Child Day Care Council since the council's formation. The ODACS seat on the CDCC has primarily represented religiously exempt child day care centers since ODACS was a key stakeholder in the 1980's struggle to secure the religious exemption from licensure and since almost all day care centers in ODACS since then have operated under the religious exemption. The freedom of churches to operate a day care without a license was finally secured in Virginia when the Fourth Circuit Court of Appeals upheld the constitutionality of the religious exempt law in 1988 in [846 F.2d 260](#).

When the Governor's Executive Reorganization Plan was first released, the initial response of ODACS was to oppose the elimination of the CDCC . However, once the House and Senate resolutions were filed, ODACS has supported Item 30 of HJ 49 and SJ 66 because of the following statement (*emphasis added*).

The Child Day Care Council should be eliminated and the Board of Social Services should be designated as the authority to adopt regulatory standards for licensure and operations of child day care centers. ***Two seats should be added to the Board of Social Services to represent the day care industry.***

ODACS is pleased that both resolutions have passed their respective chambers with this important language intact.

Furthermore, ODACS requests that the General Assembly designate the two seats to be added to the Board of Social Services to represent certain segments of the day care industry, one for licensed day care centers and one representing religiously exempt day care centers. These two interests represent broad segments of the day care industry in Virginia, and their inclusion on the Board of Social Services will ensure that the interests of all Virginia day cares are represented in the regulatory process. Approximately 1,000 Virginia day care centers currently operate with a religious exemption from licensure.

To this end, ODACS requests that the following language be included in Item 30 of the House and Senate bills that advance the governor's restructuring plan.

At least one member of the Board shall be a licensed health care professional, one member shall represent stand alone licensed child care centers that meet the accountability standards of state recognized accreditation through [§22.1-19](#), and one member shall represent religiously exempt child care centers.

ODACS thanks the members of the General Assembly for considering our request.