



## *Old Dominion Association of Church Schools*

### **ODACS Position Statement on SB 121**

January 15, 2018

SB 121 would repeal the sunset clause from Chapter 751 of the Act of Assembly of 2017. This clause currently ends the FBI fingerprint background check requirement for Religious Exempt childcare centers after July 1, 2018. While ODACS ministries support and practice reasonable child safety measures, we are convinced that there is more than meets the eye with the new background check requirement.

1. We believe that the state has failed to satisfactorily make the case that the current system of state police background checks is unsafe. The state has also not satisfactorily made the case that the new system of background checks is more effective than the current system.
2. **HB 1568 and SB 897 from the 2017 session were offered in response to new federal rules placed on childcare centers that DO NOT receive federal funding as a means of qualifying childcare centers that DO receive federal funding.** This means of dispersing government subsidies is fundamentally unfair and establishes a new slippery slope - potentially a means whereby the government can coerce church-run ministries in matters of conscience as well as in matters of safety.

There is data that suggests that Religious Exempt childcare centers are among the safest in the state, if not the safest in the state. Nevertheless, these centers are often viewed with suspicion and treated as unsafe by proponents of universal licensure. ODACS is convinced that the new federal rules arise from just such an unwarranted suspicion.

Furthermore, among the 14 childcare licensure exemptions in Virginia Code, Exemption 1 (the Religious Exemption) and Exemption 12 are far more regulated than any of the other 12. Despite this fact, proponents for increased regulation for Exemption 1 often incorrectly characterize Religious Exempt childcare centers as “unregulated” and cite the need to “level the playing field.” Meanwhile, these same proponents seem happy to leave other segments of the childcare industry, most notably the unlicensed day homes, alone.

ODACS respectfully requests that you vote No on Senate Bill 121. Thank you for considering our opinion.

Sincerely,  
Dan Zacharias  
Executive Director