



Old Dominion Association of Church Schools

The Honorable _____
General Assembly Building
Richmond, VA 23219

January 26, 2017

Dear Senator _____:

As a pastor/member of _____ Church (or parent/teacher/administrator with _____ School), which is a member of the Old Dominion Association of Church Schools, I first want to express my gratitude that ODACS was included in Senator Hanger's licensure exemption study group, created by SJ 63 in 2016.

I am writing in support of the substitute version of SB 1239. In so doing, I think it very important that I express the reasons for my support. (1) The SB 1239 substitute includes adequate protections for church ministries such as Sunday school, VBS, and church nurseries. Furthermore, the bill places these protections in Code, rather than in DSS regulations. (2) While I am concerned that SB 1239 creates more stringent staff/child ratios, which will make child care more expensive for our parents, I am at least thankful that the substitute bill apparently does not make the ratios stricter than those for licensed centers. (3) I welcome the requirement that at least one staff member trained in CPR is always present with the children. (4) I am grateful that new requirements for safe sleep and for reporting serious injuries are defined in the substitute bill and that the substitute bill apparently does not give DSS new regulatory authority over our ministries.

Finally, I welcome the use of data that will be collected from the new reporting requirements, for serious injuries and deaths, as a tool to compare the safety records of Religious Exempt centers with licensed centers. ODACS believes that in time the data will demonstrate our contention that Religious Exempt centers are among the safest in Virginia, if not the safest. ODACS takes strong exception to rhetoric that seems to paint all unlicensed daycares with one broad brush and to characterize all of them as unsafe. ODACS recently combed through five years worth of DSS data on instances of child abuse occurring in Out of Family settings. The results were compelling: a founded case of child abuse is nearly five times less likely to occur in a Virginia Religious Exempt center as it is to occur in a Virginia licensed center.

Since the late 1970's, ODACS has been a staunch defender of Virginia's Religious Exemption. ODACS ministries were involved in a lengthy court battle in the 1980's, which ended when the U.S. Fourth Circuit Court of Appeals decided that the Religious Exemption law was not un-Constitutional.

ODACS maintains that for the state to license any ministry of a church, or to pass laws or regulations that amount to licensure in effect, is a violation of the principle of Separation of Church and State. I am therefore hopeful that SB 1239 will serve to arrest future efforts for the state to gain further control over our ministries.

May God bless you for your service to the Commonwealth of Virginia, and I thank you for considering my perspective.

Sincerely,