



Summer, 2024

Separation of Church and State

During the 2024 Virginia General Assembly, ODACS requested HB 222 and SB 76, companion bills that would have made it easier for churches to start daycares and preschools with a Religious Exemption from Childcare Licensure. The bills would have moved Virginia's Religious Exemption from Childcare Licensure to the same Code section that includes Sunday school classes, Vacation Bible School, and church nurseries. The change would have freed churches from bureaucratic red tape, providing expanded opportunity for young children all over the Commonwealth. We believe that church-run preschools and daycares should be able to operate as freely of government intervention as are Sunday schools, Vacation Bible Schools, and church nurseries.

Freedom from Government Overreach

Additionally, the bills would have freed our churches from VDOE overreach that has been increasing over the past two years. The most egregious example of overreach happened in August, 2023, at Bethel Baptist Church in Hampton, when a VDOE licensing inspector, overreaching her legal authority and without basis, threatened to shut down the summer day camp that the church was operating for elementary age children. While the matter was resolved in few days, with VDOE finally acknowledging the overreach and retracting its threat, we believe that we learned much from the incident. Our churches are on high alert and preparing for the possibility of another such confrontation, though we hope and pray that it will not occur.

Child Safety

Opponents of the bills cited safety concerns; some even claimed that if the bills were to pass, children would die. However, ODACS contends that just the opposite is true. The safest childcare settings in Virginia are in Religiously Exempt preschools and daycares that operate without taxpayer subsidies. Safety data collected by the state consistently shows that children in Religiously Exempt settings are safer than are children in licensed and/or subsidized settings.

- Data collected for many years by the Virginia Department of Social Services shows that a founded case of child abuse is 5 times less likely to occur in a Religiously Exempt center than in a licensed center.^{1 2}
- Data collected by the Virginia Department of Education shows that in a recent 12-month period, one child died in a licensed and subsidized center, while none died in Religiously Exempt centers. The same report shows that in the same 12-month period, the number of serious physical injuries that occurred in licensed and subsidized centers was ***eleven times as many*** as those that occurred in Religiously Exempt centers. When adjusted for enrollment capacity, this means that a child in a Religiously Exempt center is 3 times less likely to experience a serious physical injury than is a child in a licensed and subsidized center.³

¹ <https://www.vaodacs.com/assets/Uploads/PDF-Files/Childcare/Virginia-Child-Abuse-Safety-Gap.pdf>

² <https://www.vaodacs.com/assets/Uploads/PDF-Files/Childcare/VCPS-Investigations-Summary-2009-2014.pdf>

³ <https://www.childcare.virginia.gov/reports-resources/administrative-program-manuals-reports-and-data/deaths-injuries-and-abuse-in-child-care-settings>