



Old Dominion Association of Church Schools

2025 Virginia General Assembly

A VOTE FOR HB 1785 AND HB 1786 IS A VOTE FOR CHILD SAFETY!

ODACS urges you to support HB 1785 and HB 1786 (Delegate Bobby Orrrock). These bills would prevent continued overreach by the Virginia Department of Education into church-run preschools and daycares. Despite claims to the contrary, data shows that Virginia's Religiously Exempt child care centers are significantly safer than licensed child care centers.

<https://www.vaodacs.com/virginia-child-care-safety-data/>

Here are more reasons to support HB 1785 and HB 1786.

1. VDOE Overreach

Over the past two and a half years, ODACS ministries have experienced a serious of incidents of overreach by VDOE licensing inspectors. The most egregious of these cases happened in August, 2023, at Bethel Baptist Church in Hampton, where a VDOE inspector exceeded her authority and threatened to close the summer day camp that the church was operating for elementary age children.

2. VDOE Inspection Priorities

Virginia Code (§22.1-289.019) requires VDOE inspectors to prioritize their inspection resources as follows: first, inspections in response to complaints; second, inspections of licensed child day programs; third, inspections of license-exempt child day programs that are publicly-funded; and finally, inspections of other license-exempt child day programs. Given the high degree and frequency of scrutiny that our preschools and daycares are receiving, ODACS is skeptical that these priorities are being followed. ***In a recent appeal of violations cited by VDOE against an ODACS school, VDOE licensing officials were unable to provide data that would demonstrate their compliance with §22.1-289.019.***

3. Strong Legal History of Virginia's Religious Exemption

Virginia's Religious Exemption from Childcare Licensure was challenged in court in the 1980's on Establishment Clause grounds. In 1988, the United States Court of Appeals for the Fourth Circuit found that the law does not violate the United States Constitution. The U. S. Supreme Court declined to hear an appeal, and the decision of the Fourth Circuit has stood since. HB 1785 and HB 1786 would strengthen the alignment between Virginia's policy and the court's decision.

<https://law.justia.com/cases/federal/appellate-courts/F2/846/260/397215/>

4. Freedom for Church-run Children's Ministries

ODACS believes that our church-run preschools and daycares should enjoy the same freedom from government intervention as do our Sunday schools, Vacation Bible Schools, and church nurseries! (§22.1-289.030.A.7)