



## **Old Dominion Association of Church Schools**

Report from the General Assembly

January 19, 2018

Dear ODACS Friends,

MUCH is has happened at our State Capitol in the past week and a half, and it has been happening rather quickly! Keeping up with all of it has been challenging. Here is a short report with some of the more important items.

### **Implementation of Fingerprint Background Checks**

On January 11, VDSS informed Religious Exempt childcare centers (think church-run preschools and daycares) that implementation of the new fingerprint background check requirement was about to begin. In order to avoid overloading their system, they published a time table to stagger the appointment times for individuals. In recent communications with ODACS, they have also made it clear that federal Child Care and Development Block Grant funds would be used to pay for *all* background checks through September 30. In other words, our church ministries are being given no option but to accept a federal subsidy! On January 12, I sent an e-mail to our ministries advising them to do nothing while we try to work on a solution.

I have had several communications with VDSS licensing officials since then, including a brief face-to-face conversation with the Director of Licensing last night. We have yet to reach a solution that satisfactorily addresses all of our concerns.

Furthermore, VDSS sent out an e-mail a couple of days ago informing childcare centers that the “Go Live” date for their fingerprint background check web site was being delayed because of technical difficulties.

**ODACS Advice:** *Please continue to wait!* We have at least six weeks to work on this issue, perhaps more. I won't yet burden you with all the details of how we are trying to address the issue, but please be assured that we are taking proactive steps at both the state and federal levels to try to resolve the issue. All of you should have received a Fieldprint Code from VDSS. You should hang on to that since you will likely need it soon, but you need not be in any rush to begin making your appointments.

### **SB 121 and HB 873**

SB 121 would repeal the sunset clause of July 1, 2018, on the fingerprint background check requirement. HB 873 would extend the sunset clause by two years. ODACS is opposing SB 121 and supporting HB 873. SB 121 has already passed the

Senate. I do want to thank many of you who contacted your senators to request that they vote no on the bill. HB 873 has been assigned to the House HWI Committee and will likely come before the committee on either January 23 or January 25. **Please contact your delegates and ask them to support HB 873.**

### **HB 545**

ODACS is supporting HB 545. This bill would make it illegal for persons who previously operated a licensed childcare center and who had their license revoked to subsequently be approved for a Religious Exemption from licensure. The bill arises from a tragedy that happened recently in the Tidewater area. A young mother's infant son died in a Religious Exempt childcare center that was being operated under just such circumstances. It was my privilege last night to address a subcommittee of HWI and to state our support for HB 545. The bill passed the subcommittee on a 6-0 vote.

### **SB 539 and HB 1480**

Senator Hanger has submitted SB 539, which essentially represents Round 2 of the effort to dramatically restructure Virginia's childcare licensure exemption code. My initial analysis of the bill is that he has taken care to include almost all of the amendments that ODACS sought last year, in a sincere effort to win our support for the bill. I met with his legislative director on Tuesday, and she assured me that that was the senator's intent. Meanwhile, Delegate Filler-Corn has submitted HB 1480, a companion bill in the House of Delegates that appears to be identical, or almost identical, to SB 539. The bills are very long and complex, and we have a lot of details to examine yet.

A very positive result of last year's negotiations is that both of these bills include improved protections for our Sunday schools and church nurseries.

ODACS has not yet taken a public position on either bill. I do know that we will seek at least one amendment, so we will likely express support contingent on the acceptance of our amendment. Details will be published in the near future, and an action alert or two is likely to follow. Please pray for wisdom as we respond to these bills.

Thank you for your support and prayers!

Sincerely,

Dan Zacharias  
Executive Director